



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: W. Carl Richards, Coordinator  
Development Control Section, ZADM  
DATE: August 8, 1994

FROM: Jack Dillon, Community Planning, OPZ

SUBJECT: Mt. Wilson Substation Property  
Road Widening  
Case No. 90-421 XA  
3rd Election District

As a follow-up on your July 13, 1994 letter to Martha A. Delea of the Baltimore Gas and Electric Company (BG&E), Avery Harden and I met with representatives from BG&E, G.W. Stephens and the Design Collective. We met at the site on Tuesday August 2, 1994 and decided on a design concept which will include; road widening, sidewalk, street trees, shrubbery, and guard rail. We expect to review sketch plans when they are finished.

JD:bjs

c: Robert Hoffman, Esq.  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson MD 21204  
Avery Harden, DPW

MTWILSON.MMO/PZONE/TXTJJD

BALTIMORE COUNTY, MARYLAND No. 150430  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 8/30/94 ACCOUNT 001-6150

AMOUNT \$ 40.00 (WCR)

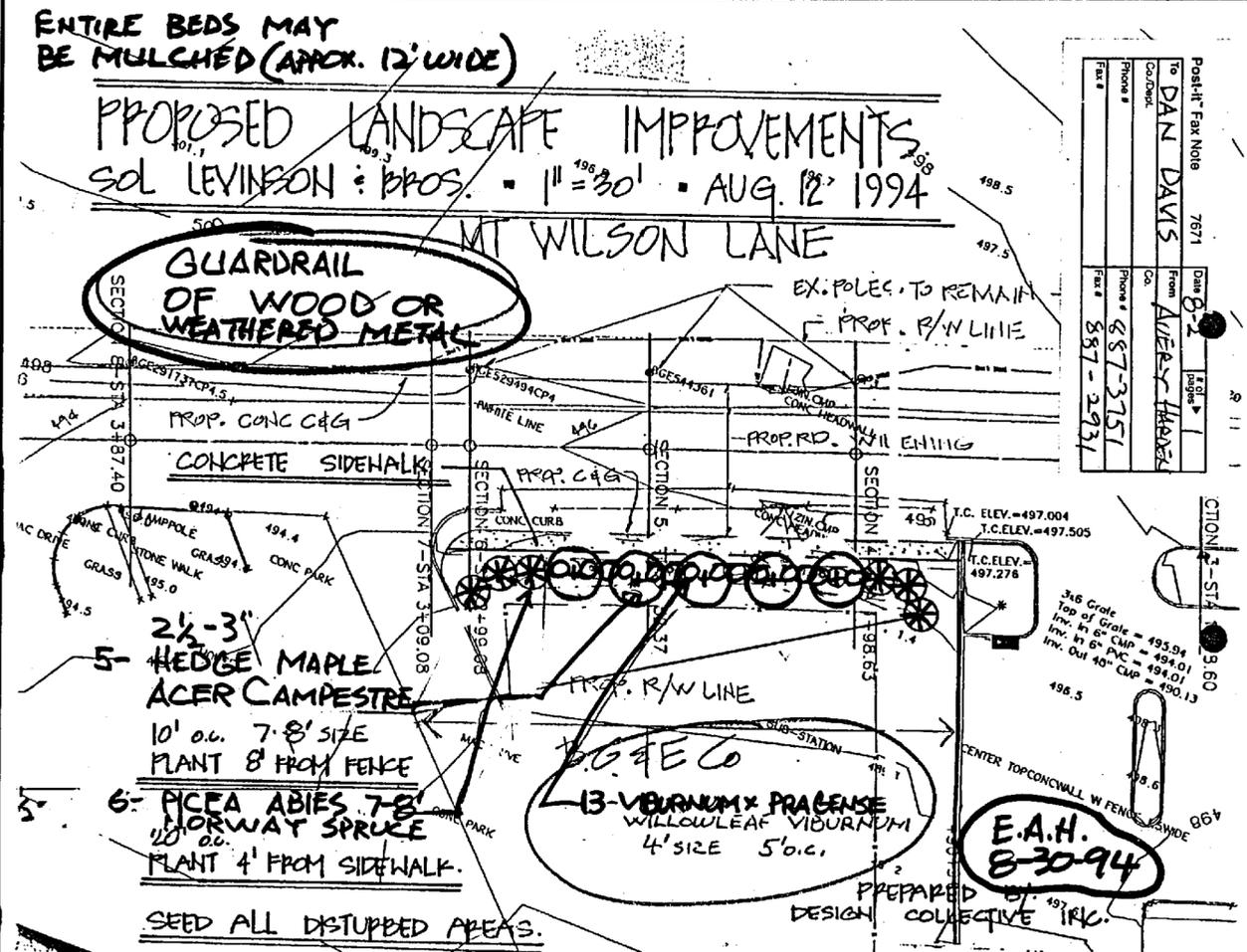
RECEIVED FROM: Venable, Baetjer & Howard

#710 - VERIFICATION  
Mt. Wilson Substation

FOR: #90-421 XA

AMOUNT \$40.00

VALIDATION OR SIGNATURE OF CASHIER



IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - NW/Cor. Reisterstown Road and Mt. Wilson Lane 3rd Election District 3rd Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Mt. Wilson Office Center Limited Partnership - Petitioners

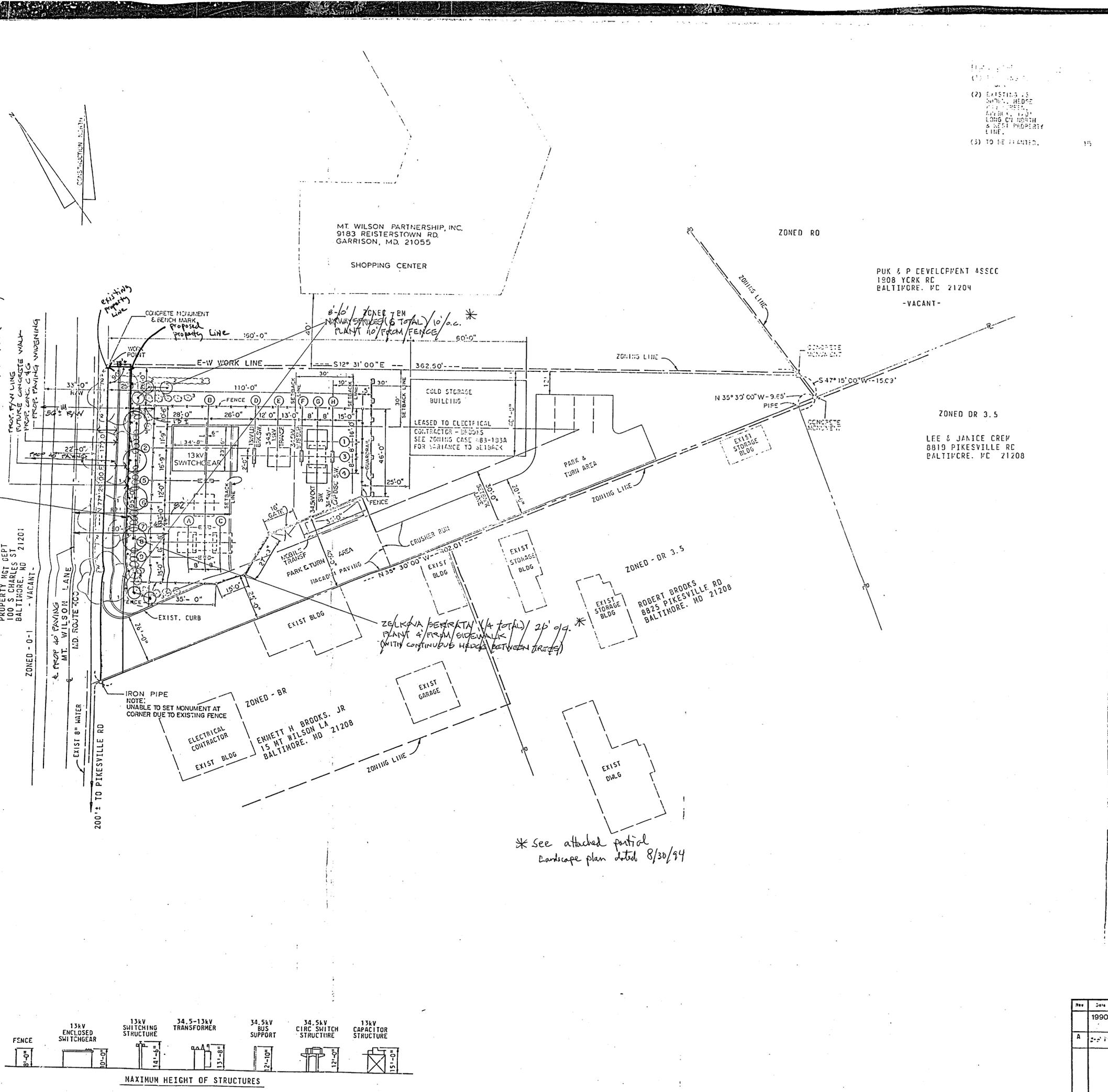
Case No. 94-384-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and Variance for the subject property located at the corner of Reisterstown Road and Mt. Wilson Lane in the Pikesville area of northwestern Baltimore County. The Petition was filed by the owners of the property, Mt. Wilson Office Center Limited Partnership, by Columbia Realty, Inc., a General Partner, through Robert R. Moxley, President, and the Contract Purchaser, Sol Levinson Brothers, Inc., by Irvin B. Levinson, Vice President. The Petitioners seek a special exception to permit a funeral establishment on the subject property, pursuant to Sections 204.3.B.1 and 1801.1.C.8, and variance relief from Section 413.1.A of the B.C.Z.R. to permit an illuminated sign of 50 sq.ft. in lieu of the maximum permitted 1 sq.ft. The subject property and relief sought are more particularly described on Petitioner's Exhibit 1.

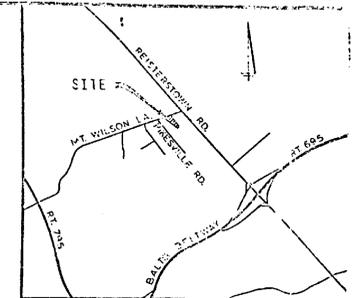
Appearing on behalf of the Petitions were Irvin, Ira, Burton and Stanley Levinson for Sol Levinson Brothers, Inc., Contract Purchaser, George Frizzell, Real Estate Appraiser, Wes Guckert, Traffic Engineering expert with The Traffic Group, Rabbi H. N. Neuberger, Edward Haladay, Architect, and others. The Petitioners were represented by Robert A. Hoffman, Esquire. Appearing as Protestants in the matter were numerous residents of the surrounding community, including Kenneth Sidle, Lillian

ORDER RECEIVED FOR FILING  
Date 8/30/94  
By [Signature]



- (1) TO BE MAINTAINED.
- (2) EXISTING 4" SWAGE HEDGES TO BE MAINTAINED.
- (3) TO BE MAINTAINED.

PIPE  
 15" DIA. 11" DIA. 8" DIA.  
 4" - 6" TALL



VICINITY MAP  
 SCALE: 1" = 2000'

MT WILSON PARTNERSHIP, INC.  
 9183 REISTERSTOWN RD.  
 GARRISON, MD. 21055

ZONED RO

PUK & P DEVELOPMENT ASSOC  
 1908 YCRK RD  
 BALTIMORE, MD 21204

-VACANT-

ZONED DR 3.5

LEE & JANICE CREW  
 8819 PIKESVILLE RD  
 BALTIMORE, MD 21208

ZONED - DR 3.5

ROBERT BROOKS  
 8825 PIKESVILLE RD  
 BALTIMORE, MD 21208

ZONED - BR

EMMETT H. BROOKS, JR.  
 15 MT WILSON LA  
 BALTIMORE, MD 21208

ZELKONA BERRATA (4 TOTAL) 20' O.C.  
 PLANT 4' FROM SIDEWALK  
 (WITH CONTINUOUS HEDGE BETWEEN TREES)

\* See attached partial  
 landscape plan dated 8/30/94

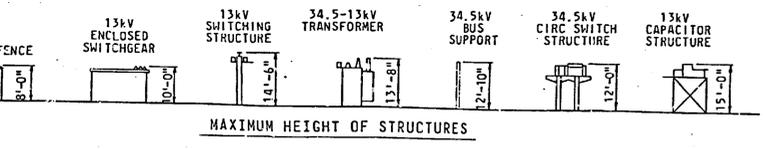
- REQUESTED VARIANCES:
1. SEC 235.2 & SEC 102.2  
 PERMIT REAR SETBACK FOR SUBSTATION  
 OF 10' IN LIEU OF REQUIRED 30'.
  2. SEC. 303.2  
 PERMIT FRONT YARD SETBACK OF 50' IN  
 LIEU OF REQUIRED 82'.

THIS PROPERTY LOCATED IN  
 3RD ELECTION DISTRICT  
 OF BALTIMORE COUNTY, MARYLAND  
 ZONED - BR  
 TAX MAP-68 PARCEL-188 GRID-13/19  
 AREA-0.776 AC±  
 TITLE REFERENCE - 6288/491  
 TAX ACCOUNT NO - 03 02003442  
 OWNER - EMMETT H. BROOKS & WF  
 15 MT WILSON LA  
 BALTIMORE, MD 21208  
 UNMANNED SUBSTATION

- ZONING HISTORY:
1. CASE NO. 4791-X  
 PETITION FOR SPECIAL EXCEPTION FOR  
 ELECTRIC SUBSTATION  
 DATE - 11/18/89
  2. CASE NO. R82-77  
 RECLASSIFICATION FROM DR & DR3.5 TO BR  
 DATE - 3/2/81
  3. CASE NO. 88-183A  
 VARIANCE FROM SEC 238.2 TO PERMIT  
 REAR YARD SETBACK OF 5' IN LIEU OF  
 REQUIRED 30'  
 DATE - 11/25/87

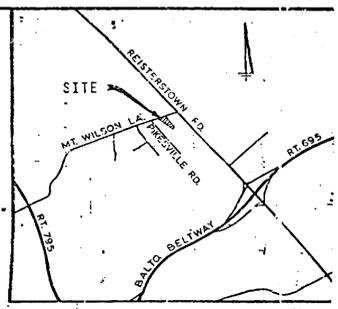
*Marked Up*

RED LINE REVISION TO CASE N2 90-421-XA  
 APPROVED PLAN  
 AUG 18, 1994  
 REVISED AUG 25, 1994

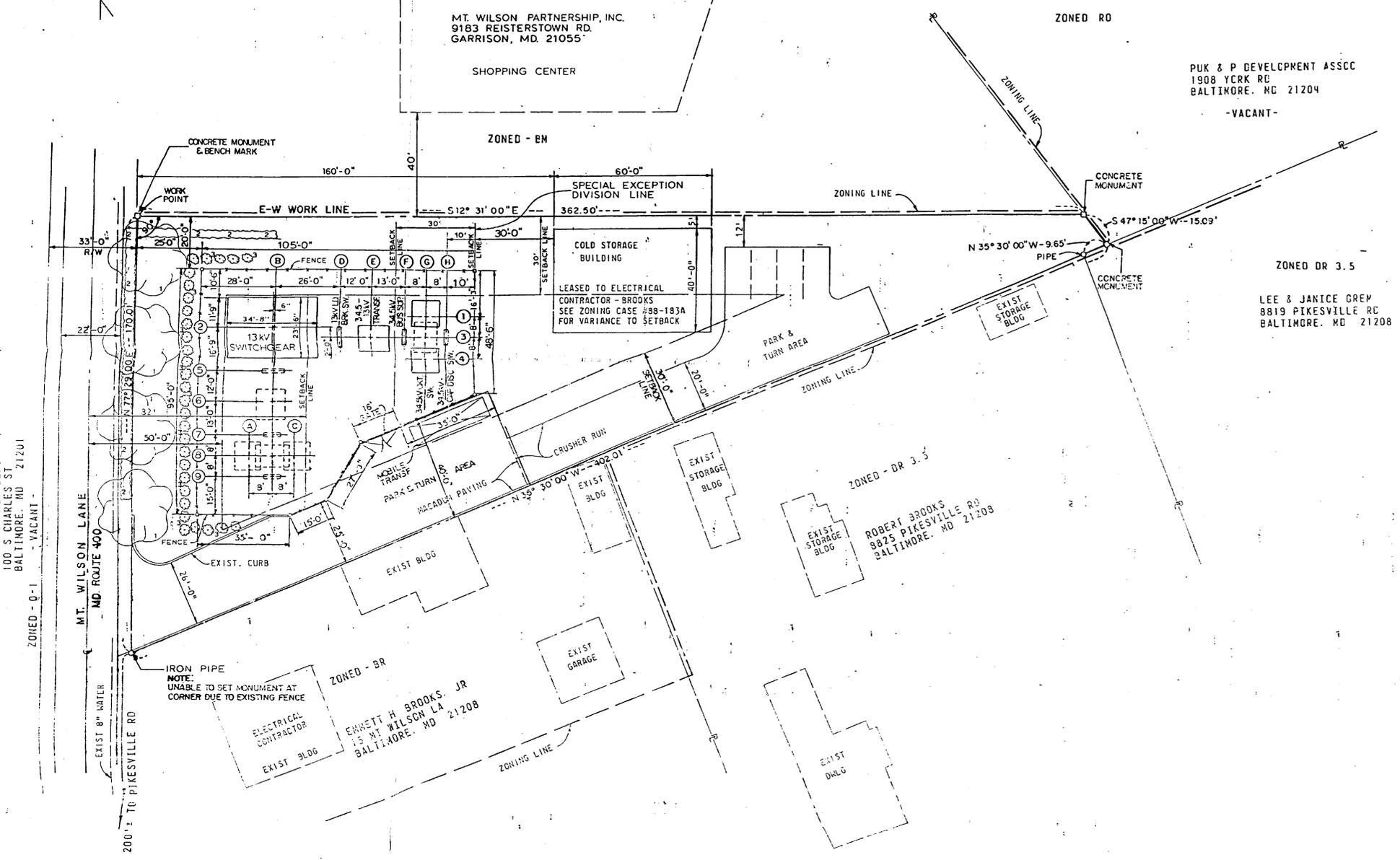
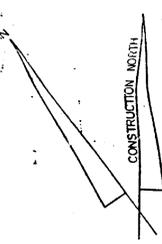


Rev	Date	D.O./Est. No.	Description	Approved	ENGINEERING	PLAN FOR SPECIAL EXCEPTI...
	1990	EC-1022 E59M1400	INSTLN OF 1-20MVA 34.5-13KV TRANSF. 3-13KV FEEDER POS. & 2-13KV DISTR. FORS (8660 & 8661)		Civil... Elec... Prof. Engr... Pr. J. Engr... Prin. Engr... Supr. Engr...	VARIANCE & BUILDING PERMI WITH LANDSCAPING
A	2-2-94	EC-1022 E59M1400	REV PER COUNTY COMMENTS			34.5-13KV SUBSTATION MT. WILSON
					DESIGN GROUP BALTIMORE GAS AND ELECTRIC CO. INC. DISTRIBUTION & TRANSMISSION ENGR. DEPT. SYSTEMS DIVISION	BALTIMORE GAS AND ELECTRIC CO. INC. DISTRIBUTION & TRANSMISSION ENGR. DEPT. SYSTEMS DIVISION

PLANT NUMBER	# REQ'D/EXISTING	PLANT NAME	SIZE
(1) EXISTING AS SHOWN	4	JUGLANS NIGRA - BLACK WALNUT	APPROX. 12" DIAMETER, BREAST HEIGHT - 30" TALL.
(2) EXISTING AS SHOWN, HEDGE ROW SCREEN, APPROX. 170' LONG ON NORTH & WEST PROPERTY LINE.		LIGUSTRUM OVALIFOLIUM - CALIFORNIA PRIVET	5' - 5" TALL.
(3) TO BE PLANTED.	30	THUJA OCCIDENTALIS NIGRA-ABORVITAE	4' - 5' TALL



VICINITY MAP  
SCALE: 1" = 2000'



PROPERTY MGT. DEPT  
100 S CHARLES ST  
BALTIMORE, MD 21201

ZONED - O-1

200' ± TO PIKESVILLE RD

MT. WILSON PARTNERSHIP, INC.  
9183 REISTERSTOWN RD.  
GARRISON, MD. 21055

SHOPPING CENTER

ZONED RO

PUK & P DEVELOPMENT ASSCC  
1908 YCRK RD  
BALTIMORE, MD 21204

-VACANT-

ZONED - EM

ZONED DR 3.5

LEE & JANICE CREW  
8819 PIKESVILLE RD  
BALTIMORE, MD 21208

ZONED - DR 3.5

ROBERT BROOKS  
8825 PIKESVILLE RD  
BALTIMORE, MD 21208

ZONED - BR

ENNETT H. BROOKS, JR.  
15 MT WILSON LA  
BALTIMORE, MD 21208



J. MICKEY (PROP. L.S.#115)  
DISTRIBUTION & TRANSMISSION ENGR DEPT  
BALTIMORE GAS & ELECTRIC COMPANY

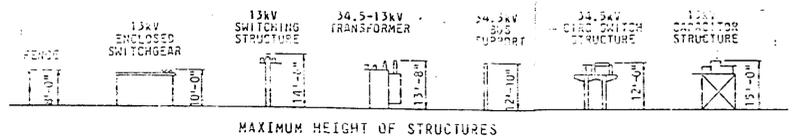
ZONING HISTORY:

- CASE NO. 4791-X  
PETITION FOR SPECIAL EXCEPTION FOR  
ELECTRIC SUBSTATION  
DATE - 11/18/59
- CASE NO. 882-77  
RECLASSIFICATION FROM BR & DR3.5 TO BR  
DATE - 3/2/81
- CASE NO. 88-1832  
VARIANCE FROM SEC 238.2 TO PERMIT  
REAR YARD SETBACK OF 5' IN LIEU OF  
REQUIRED 30'  
DATE - 11/25/87
- CASE NO. 90-421-42  
SEC 238.2 & SEC 102.2  
APPROVE REAR SETBACK AND SUBSTITUTION  
OF 10' IN LIEU OF REQUIRED 30'  
SEC 303.2  
PERMIT FRONT YARD SETBACK OF 50' IN  
LIEU OF REQUIRED 32'  
DATE - 4/30/90

THIS PROPERTY LOCATED IN  
3RD ELECTION DISTRICT  
OF BALTIMORE COUNTY, MARYLAND  
ZONED - BR  
TAX MAP-59 PARCEL-188 GRID-10/19  
AREA-D, 7/5 AC  
TITLE REFERENCE - 52682/491  
TAX ACCOUNT NO - 00 02003442  
OWNER - ENNETT H. BROOKS & WIFE  
15 MT WILSON LA  
BALTIMORE, MD 21208  
UNMANNED SUBSTATION

ORIG

SHEET 1 OF 2



Rev	Date	By/Rev	Description	Appr	ENGR	PLANNING
1	11/18/59	JM	INSTALL OF 13KV SWITCHING STRUCTURE, TRANSFORMER, BUS SUPPORT, 2-13KV DIST. FORS (6650 & 3651)			PLAN FOR SPECIAL EXCEPT. VARIANCE & BUILDING PER WITH LANDSCAPING
2	3/2/81	JM	REV PER RECLASSIFICATION			
3	11/25/87	JM	ADD LANDSCAPING			34.5-13KV SUBSTATION

DESCRIPTION  
ZONING SPECIAL EXCEPTION  
MT. WILSON SUBSTATION

ALL that parcel of land lying and being in the third election district of Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same at an iron pipe heretofore set on the south side of Mt. Wilson Lane, said iron pipe being located 200 feet more or less northeast of Pikeville Road, and 457 feet more or less from the southeast side of Reisterstown Road, 66 feet wide; said iron pipe also being situate at the intersection of said side of Mt. Wilson Lane with the northeasternmost outline of the plat of Pikeville Farms, Lane with the northeasternmost outline of the plat of Pikeville Farms, recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 7; thence leaving said place of beginning and binding on the south side of Mt. Wilson Lane North 77 degrees 29 minutes East 170.01 feet to a concrete monument heretofore set; thence leaving the south side of Mt. Wilson Lane and running the three following courses and distances:

- 1) South 12 degrees 31 minutes East 142.00 feet to a point;
- 2) South 77 degrees 29 minutes West 109.78 feet to a point and to intersect the aforesaid northeasternmost outline of Pikeville Farms;
- 3) North 35 degrees 30 minutes West along a portion of the northeasternmost outline of Pikeville Farms 154.24 feet to the place of beginning.

CONTAINING 0.456 of an acre of land, more or less.

BEING a part of the property which by deed dated May 6, 1981 and recorded among the Land Records of Baltimore County in Liber 6288, Folio 491 was conveyed by Baltimore Gas and Electric Company to Emmett H. Brooks, Jr. and Leola M. Brooks, his wife.

John M. White / 5/17/90

(ntwils.jwm)

Item # 265

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-421-XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 102.2 and 230.2 of the Baltimore County Zoning Regulations to permit a rear yard setback of 30 feet for a public utility service center (substation) instead of the required 50 feet, and to relocate the parking spaces and amend the site plan as required in Variance Case #89-183A.

Proposed outdoor public utility service center (substation) instead of the required 50 feet, and to relocate the parking spaces and amend the site plan as required in Variance Case #89-183A.

Strict compliance with the set back provisions set forth in the Business, Roadside Zone (S.R.) ceases an unreasonable hardship and practical difficulty on the Applicant by preventing it from constructing and operating a proposed outdoor public utility service center (substation) which is needed to provide relief to the Applicant's existing electrical facilities supplying electric power to its customers in the area, due to an increase in the demand for electricity in the vicinity.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: BALTIMORE GAS AND ELECTRIC COMPANY  
Legal Owner(s): Emmett H. Brooks, Jr.  
Signature: George D. England, Vice President  
Signature: Emmett H. Brooks, Jr.  
Address: 210 Allegheny Avenue, Baltimore, MD 21204  
Address: 15 Mt. Wilson Lane, Pikesville, MD 21208  
City and State: Baltimore, MD 21203  
City and State: Pikesville, MD 21208

ORDERED BY THE Zoning Commissioner of Baltimore County, this 25th day of April, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 25th day of April, 1990, at 9:30 o'clock.

J. Robert Haines  
Zoning Commissioner of Baltimore County

ZONING DESCRIPTION  
MT. WILSON SUBSTATION  
265

90-421-XA

ALL that parcel of land lying and being in the third election district of Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same at an iron pipe heretofore set on the south side of Mt. Wilson Lane, said iron pipe being located 200 feet more or less northeast of Pikeville Road, and 457 feet more or less from the southwest side of Reisterstown Road, 66 feet wide; said iron pipe also being situate at the intersection of said side of Mt. Wilson Lane with the northeasternmost outline of the plat of Pikeville Farms, recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 7; thence leaving said place of beginning and binding on the south side of Mt. Wilson Lane North 77 degrees 29 minutes East 170.01 feet to a concrete monument heretofore set; thence leaving the south side of Mt. Wilson Lane and running the three following courses and distances:

- 1) South 12 degrees 31 minutes East 142.00 feet to a concrete monument heretofore set;
- 2) South 77 degrees 29 minutes West 109.78 feet to a concrete monument heretofore set and to intersect the aforesaid northeasternmost outline of Pikeville Farms;
- 3) North 35 degrees 30 minutes West along a portion of the northeasternmost outline of Pikeville Farms 154.24 feet to the place of beginning.

CONTAINING 0.456 of an acre of land, more or less.

BEING the same property which by deed dated May 6, 1981 and recorded among the Land Records of Baltimore County in Liber 6288, Folio 491 was conveyed by Baltimore Gas and Electric Company to Emmett H. Brooks, Jr. and Leola M. Brooks, his wife.

John M. White / 2/5/90

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd  
Date of Posting: 4-3-90

Posted for: Special Exception / Variance  
Petitioner: Emmett H. Brooks, Jr. et al.  
Location of property: S/S of Mt. Wilson Lane, 200' E. NE of Pikeville Road, 15 Mt. Wilson Lane  
Location of Sign: South side of Mt. Wilson Lane in front of subject property

Posted by: J. Robert Haines  
Date of return: 4-6-90

Baltimore County Zoning Commission  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21286

receipt  
Account # 001-6150  
Number  
No. 1385

Date: 2/14/90  
H9000265

	QTY	PRICE
PUBLIC HEARING FEES		
020 - ZONING VARIANCE (OTHER)	1	\$175.00
050 - SPECIAL EXCEPTION	1	\$175.00
LAST NAME OF OWNER: BROOKS		TOTAL: \$350.00

Cashier Validation: B 031\*\*\*\*\*35000:4 614:F  
Please make checks payable to Baltimore County

CERTIFICATE OF PUBLICATION  
TOWSON, MD., March 30, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 29, 1990.

THE JEFFERSONIAN,  
S. Zeke Orlov  
Publisher

PO 103646

Baltimore County Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

DATE: 4-5-90

Res: Petitions for Special Exception and Zoning Variance  
CASE NUMBER: 90-421-XA  
5/5 Mt. Wilson Lane, 200' NE of Pikeville Road (15 Mt. Wilson Lane)  
3rd Election District - 3rd Councilmatic  
Legal Owner(s): Emmett H. Brooks, Jr., et al.  
Contract Purchaser(s): Baltimore Gas & Electric Company  
HEARING: WEDNESDAY, APRIL 25, 1990 at 9:30 a.m.

Please be advised that \$137.51 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,  
J. Robert Haines  
ZONING COMMISSIONER

JRHigs  
cc: John B. Howard, Esq.

CERTIFICATE OF PUBLICATION

REAL ESTATE  
HELP WANTED  
LEGAL NOTICE

ANN REALTORS  
LEIGH \$149,000  
FIT & FIT SECRETARY  
MEDICAL LABORATORY TECHNICIAN  
FOR SALE

NOTICE OF HEARING  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on the following date and time:  
DATE: WEDNESDAY, APRIL 25, 1990 at 9:30 a.m.  
LOCATION: 5/5 Mt. Wilson Lane, 200' NE of Pikeville Road (15 Mt. Wilson Lane)  
3rd Election District - 3rd Councilmatic  
Legal Owner(s): Emmett H. Brooks, Jr., et al.  
Contract Purchaser(s): Baltimore Gas & Electric Company  
HEARING: WEDNESDAY, APRIL 25, 1990 at 9:30 a.m.

Special Exceptions for the construction of an outdoor electric public utility service center. Variance to permit a rear setback of 30 feet, for an outdoor public utility service center (substation) instead of the required 50 feet, and to permit a front yard setback of 50 feet, for a public utility service center (substation) instead of the required 50 feet, and to relocate the parking spaces; and to amend the site plan as required in variance case #89-183-A.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

Baltimore County Zoning Commission  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

March 12, 1990

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exception and Zoning Variance  
CASE NUMBER: 90-421-XA  
5/5 Mt. Wilson Lane, 200' NE of Pikeville Road (15 Mt. Wilson Lane)  
3rd Election District - 3rd Councilmatic  
Legal Owner(s): Emmett H. Brooks, Jr., et al.  
Contract Purchaser(s): Baltimore Gas & Electric Company  
HEARING: WEDNESDAY, APRIL 25, 1990 at 9:30 a.m.

Special Exceptions for the construction of an outdoor electric public utility service center. Variance to permit a rear setback of 30 feet, for an outdoor public utility service center (substation) instead of the required 50 feet, and to permit a front yard setback of 50 feet, for a public utility service center (substation) instead of the required 50 feet, and to relocate the parking spaces; and to amend the site plan as required in variance case #89-183-A.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

cc: Mr. & Mrs. Brooks  
William E. Colburn, Esq./Baltimore Gas & Electric Company  
John B. Howard, Esq.  
File

Baltimore County Zoning Commission  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

receipt  
Account # 001-6150  
Number  
No. 2266

Date: 4/25/90  
H9000729

	QTY	PRICE
PUBLIC HEARING FEES		
020 - POSTING SIGNS / ADVERTISING 1	X	\$137.51
LAST NAME OF OWNER: BROOKS		TOTAL: \$137.51

8 026\*\*\*\*\*13751:4 2266F  
Please make checks payable to Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21284  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

April 16, 1990



Dennis F. Rasmussen  
County Executive

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, MD 21204

RE: Item No. 265, Case No. 90-421-XA  
Petitioner: Emmett H. Brooks, Jr.  
Petition for Special Exception and  
Variance

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Emmett H. Brooks, Jr.  
Mr. George D. England

Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning  
Towson, Maryland 21284  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
14th day of February, 1990.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Emmett H. Brooks, et ux

Petitioner's Attorney: John B. Howard

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 9, 1990  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Emmett H. Brooks, Jr./Baltimore Gas and Electric  
Company, Inc., Item 265

The Petitioners request a Variance to permit a rear setback of 10 ft. for an outdoor public utility service center (substation); and to permit a front setback of 50 ft.; and to amend the site plan as required in Case No. 88-183A.

Staff supports the Petitioners' request provided that dense, compact screening is provided along Mt. Wilson Lane.

Should the Petitioners' request be granted, staff offers the following restriction:

- A final landscape plan shall be submitted to the Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permit.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21284  
(301) 887-3554



Dennis F. Rasmussen  
County Executive

March 9, 1990

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 259, 261, 262, 263, 264, 265, 266, 267, 268, and 270.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

MARCH 14, 1990



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: EMMETT H. BROOKS, JR.  
Location: S/S MT. WILSON LANE

Item No.: 265 Zoning Agenda: MARCH 6, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* 3/14/90 Noted and Approved *Captain J. P. Brady*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for March 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 262, 263, 264, and, 268.

For Item 259 the previous County Review Group comments remain in effect.

For Item 261 the minimum width for a single panhandle frontage is 20 feet (12 feet is shown). The septic area on the opposite side of the road would require crossing of the public road R/W with private sewer line (which would require a franchise agreement).

For Items 265, 269 and 270, a County Review Group Plan may be required for each property.

For Items 267 and 268 the previous County Review Group comments remain in effect.

For Item #203 revised - Caves Valley Gold Club - the previous County Review Group comments still apply.

Amendment for 90-154A - No. 819 Ridsleigh Road, we have no comments.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

QUALIFICATIONS OF APPRAISER  
(Bernard F. Semon)

MEMBER

Baltimore County Appraiser's Society - President,  
1978-80

Greater Baltimore Board of Realtors, Inc. - Past  
Chairman of Executive Committee - Appraisal Division

Baltimore County Chamber of Commerce - President  
1984

Home Builders Association of Maryland - Instructor -  
School of Building and Construction  
Commercial Division

EDUCATION AND BACKGROUND

Graduate of Baltimore Polytechnic Institute

Completed Real Estate Appraisal Courses I and II,  
Johns Hopkins Evening College

Licensed Real Estate Salesman since 1960

Actively engaged in the appraisal and acquisition of  
Real Estate since 1963

Actively participated in limited partnerships involving  
residential condominium townhouse development,  
commercial and office building partnerships as well  
as a major size residential large lot development

APPRAISED FOR

Baltimore County Bureau of Land Acquisition

Carroll County Land Acquisition Division

Baltimore County Office of Law

Orphans' Court for Baltimore County

Baltimore Gas and Electric Company

Baltimore County Savings and Loan Association

Baltimore Federal Savings and Loan Association

Federal Savings Bank

Heritage Savings Association

John Hanson Savings Bank

Maryland National Bank

Municipal Savings Bank

Patapsco Federal Savings and Loan Association

Provident Bank of Maryland

Signet Home Loan Corporation

Signet Bank

Yorkridge-Calvert Savings and Loan Association

Maryland State Highway Administration

Wilson T. Ballard and Company, Engineers

Kidde Consultants

Numerous Attorneys, Engineers, Developers and Private  
Individuals

TESTIFIED BEFORE

Zoning Commissioner - Baltimore County, Maryland

Board of Zoning Appeals - Baltimore County, Maryland

Assessment Appeals Board - Baltimore County, Maryland

Circuit Court for Baltimore City

Circuit Court for Baltimore County

Circuit Court for Harford County

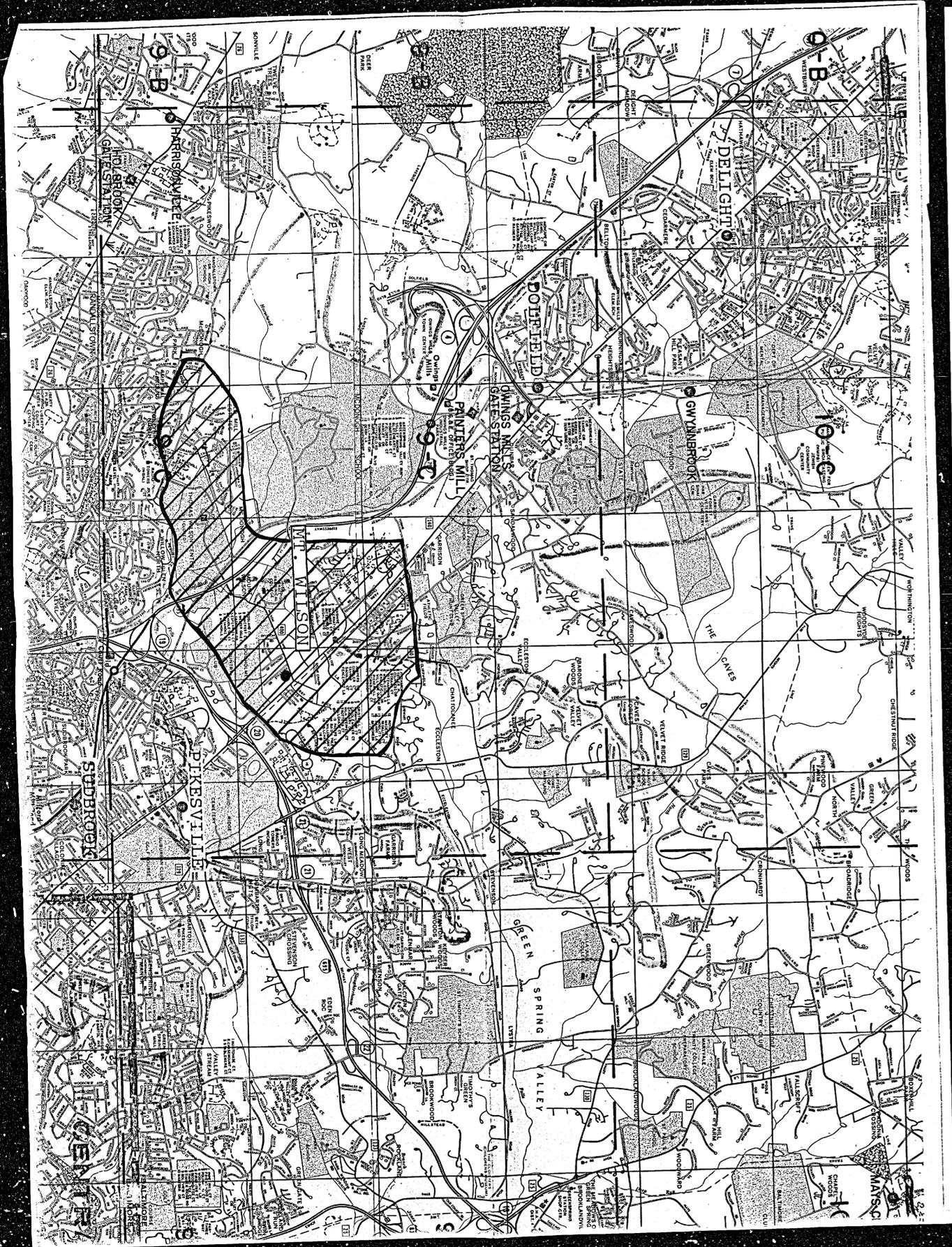
Circuit Court for Howard County

District Court for Baltimore City

Public Service Commission of Maryland

Board of Municipal and Zoning Appeals, Baltimore City,  
Maryland

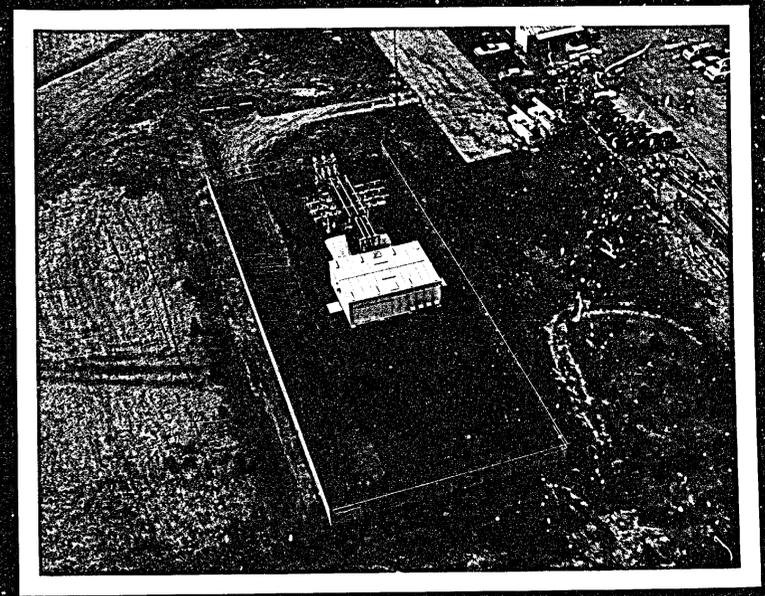
Maryland Tax Court



PLEASE PRINT CLEARLY      PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>J. Hoffman</i>	<i>Mt. Wilson Lane</i>
<i>I. W. Kalotay</i>	<i>B.G.E.</i>
<i>C.T. Steyer Jr.</i>	<i>BGE</i>
<i>Henry M. Miller</i>	<i>BGE</i>
<i>Marie Dillen</i>	<i>BGE</i>
<i>Richard W. Bauer</i>	<i>BGE</i>
<i>Jerome H. Kosba</i>	<i>724 Downy Valley Rd.</i>
<i>Emmett Brooks</i>	<i>15 Mt. Wilson Lane</i>
<i>Bob Brooks</i>	<i>8233 Pikesville Road</i>

NER ISRAEL RABBINICAL COLLEGE  
MOUNT WILSON LANE, BALTIMORE, MD 21206  
OFFICE: 301-484-7900    FAX: 301-484-7811  
JEROME H. KASHER  
ASSOCIATE EXECUTIVE DIRECTOR



File

**VENABLE, BAETJER AND HOWARD**  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD      WASHINGTON, D.C.  
WASHINGTON, D.C.      HALEAN, VA  
ROCKVILLE, MD      ROCKVILLE, MD  
BEL AIR, MD      BEL AIR, MD

210 ALLEGHENY AVENUE  
P.O. BOX 9517  
TOWSON, MARYLAND 21286-9517  
301-823-4111  
FAX 301-823-0147

May 29, 1990      WRITER'S DIRECT NUMBER IS 494-9151

**RECEIVED**  
MAY 30 1990  
ZONING OFFICE

Ann M. Nastarowicz  
Deputy Zoning Commissioner  
1st Floor  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Petitions for Special Exception and Variance  
8/8 Mt. Wilson Lane, 200' NE of Pikesville Road  
(15 Mt. Wilson Lane)  
3rd Election District - 3rd Councilmanic District  
Emmett H. Brooks, Jr., et ux - Petitioners  
Case No. 90-421-XA

Dear Ms. Nastarowicz:

In compliance with paragraph 4 of the restrictions contained in your Order of April 30, 1990 in the above-captioned matter, I am submitting herewith a plat designating the revised special exception area and a metes and bounds description thereof.

I trust the enclosed conforms with your request. Please let me know, of course, should you need any further information.

Thank you very much for your careful consideration of this matter.

Very truly yours,  
*John B. Howard*  
John B. Howard

JBH:cms  
Enclosure  
cc: William E. Colburn, Esquire

File

**VENABLE, BAETJER AND HOWARD**  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD      WASHINGTON, D.C.  
WASHINGTON, D.C.      HALEAN, VA  
ROCKVILLE, MD      ROCKVILLE, MD  
BEL AIR, MD      BEL AIR, MD

210 ALLEGHENY AVENUE  
P.O. BOX 9517  
TOWSON, MARYLAND 21286-9517  
301-823-4111  
FAX 301-823-0147

May 1, 1990      WRITER'S DIRECT NUMBER IS 494-9151

**RECEIVED**  
MAY 2 1990  
ZONING OFFICE

Ann M. Nastarowicz  
Deputy Zoning Commissioner  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

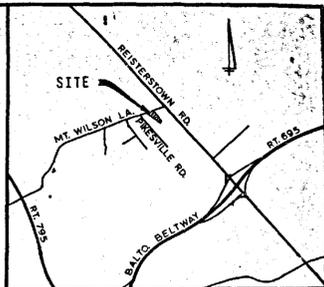
Re: BGE - Mt. Wilson Substation  
Case No. 90-421-XA

Dear Ms. Nastarowicz:

At Rob Hoffman's request, I am enclosing herewith a copy of the Load Center Plat which was to be included in the filing of the above-captioned matter. Should you have any questions, please do not hesitate to contact Rob Hoffman.

Sincerely,  
*Barbara A. White*  
Barbara A. White  
Legal Assistant

BAW:cms  
Enclosure  
cc: Robert A. Hoffman, Esquire



VICINITY MAP  
SCALE: 1" = 2000'

PLANT LIST			
PLANT NUMBER	# REQ'D/EXISTING	PLANT NAME	SIZE
(1) EXISTING AS SHOWN	4	JUGLANS NIGRA - BLACK WALNUT	APPROX. 12" DIAMETER, BREAST HEIGHT - 30" TALL.
(2) EXISTING AS SHOWN. HEDGE, ROW SCREEN, APPROX. 170' LONG ON NORTH & WEST PROPERTY LINE.		LIGUSTRUM OVALIFOLIUM - CALIFORNIA PRIVET	5' - 6" TALL.
(3) TO BE PLANTED.	15	THUJA OCCIDENTALIS NIGRA-ARBORVITAE.	4' - 5' TALL

MT. WILSON PARTNERSHIP, INC.  
9183 REISTERSTOWN RD.  
GARRISON, MD. 21055

SHOPPING CENTER

ZONED RD

PUK & P DEVELOPMENT ASSCC  
1908 YCRK RD  
BALTIMORE, MD 21204

-VACANT-

ZONED - BM

ZONED DR 3.5

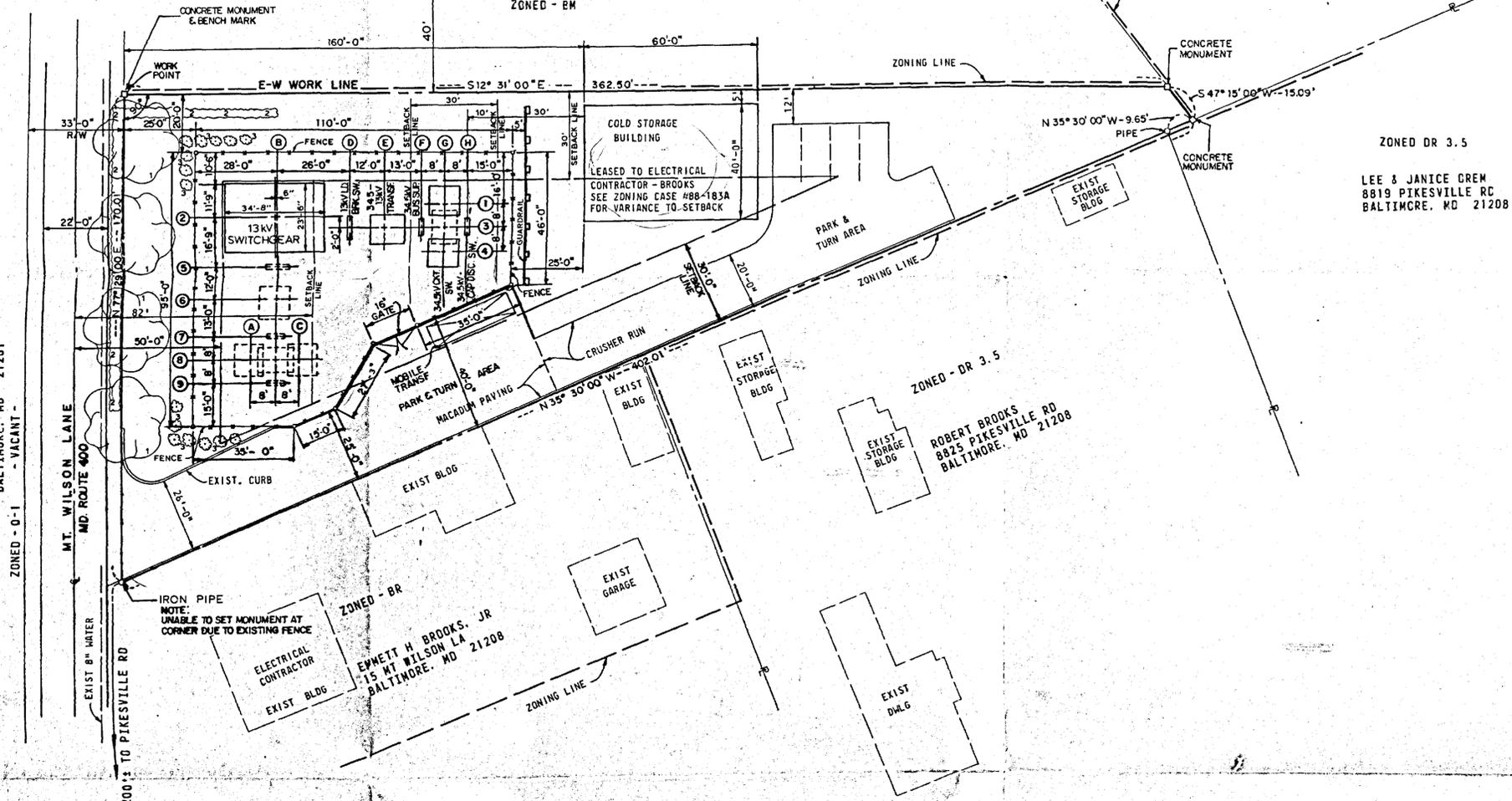
LEE & JANICE CREM  
8819 PIKESVILLE RD  
BALTIMORE, MD 21208

ZONED - DR 3.5

ROBERT BROOKS  
8825 PIKESVILLE RD  
BALTIMORE, MD 21208

EMMETT H BROOKS, JR  
15 MT WILSON LA  
BALTIMORE, MD 21208

HOPKINS, SAMUEL, ET AL  
PROPERTIES, INC. DEPT  
100 PROPER CHARLES ST  
BALTIMORE, MD 21201



J. W. MICKEY (PROP L.S. #116)  
DISTRIBUTION & TRANSMISSION ENGR DEPT  
BALTIMORE GAS & ELECTRIC COMPANY

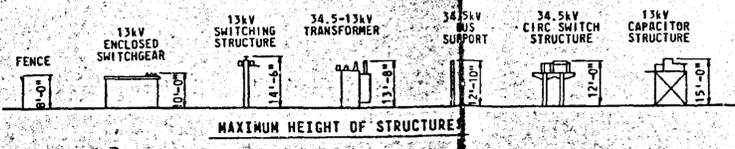
Item #265

- REQUESTED VARIANCES:
- SEC. 238.2 & SEC. 102.2 PERMIT REAR SETBACK FOR SUBSTATION OF 10' IN LIEU OF REQUIRED 30'.
  - SEC. 303.2 PERMIT FRONT YARD SETBACK OF 50' IN LIEU OF REQUIRED 82'.

THIS PROPERTY LOCATED IN  
3RD ELECTION DISTRICT  
OF BALTIMORE COUNTY, MARYLAND  
ZONED - BR  
TAX MAP-68 PARCEL-188 GRID-13/19  
AREA-0.776 AC±  
TITLE REFERENCE - 6288/491  
TAX ACCOUNT NO - 03 02003442  
OWNER - EMMETT H BROOKS & WF  
15 MT WILSON LA  
BALTIMORE, MD 21208  
UNMANNED SUBSTATION

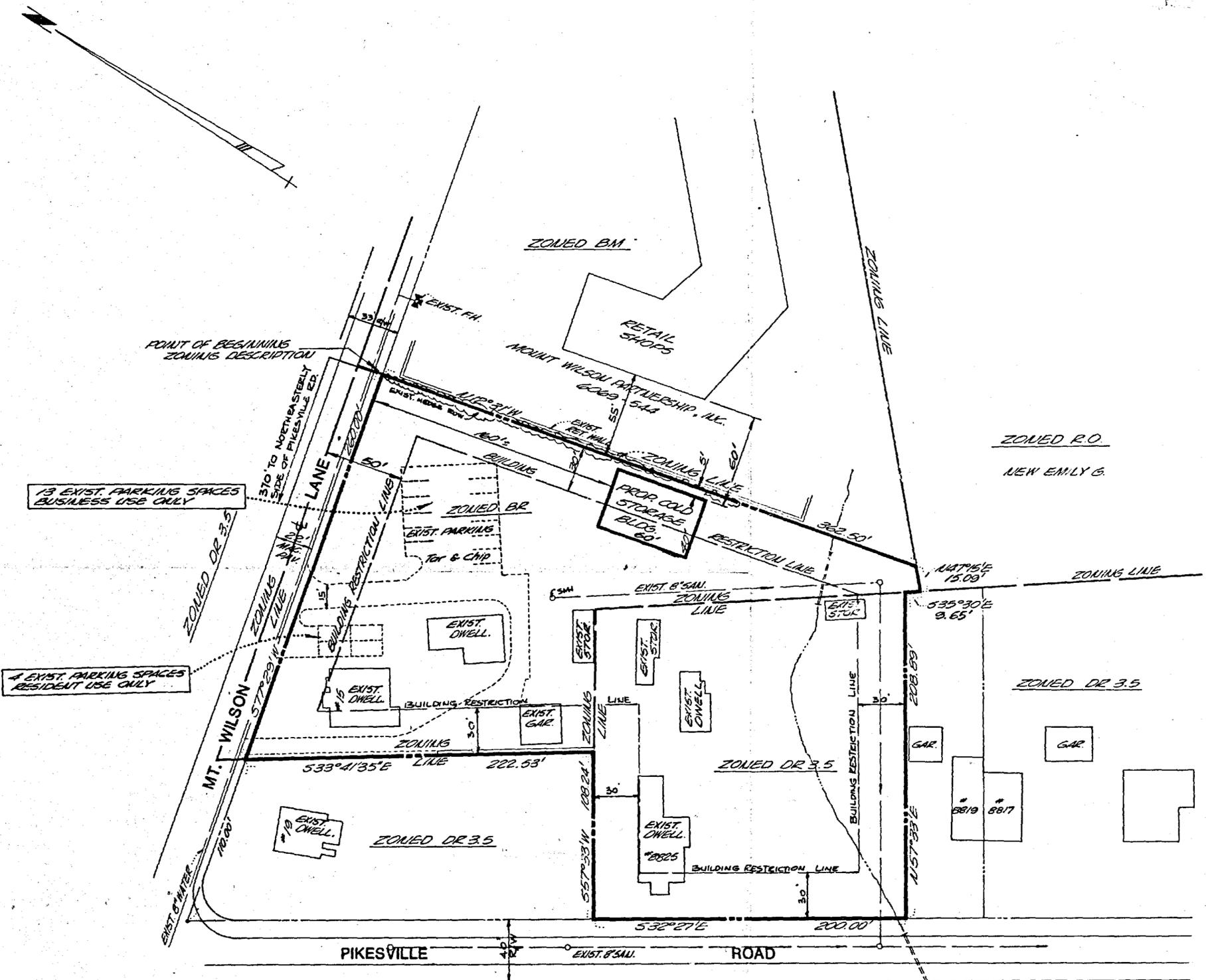
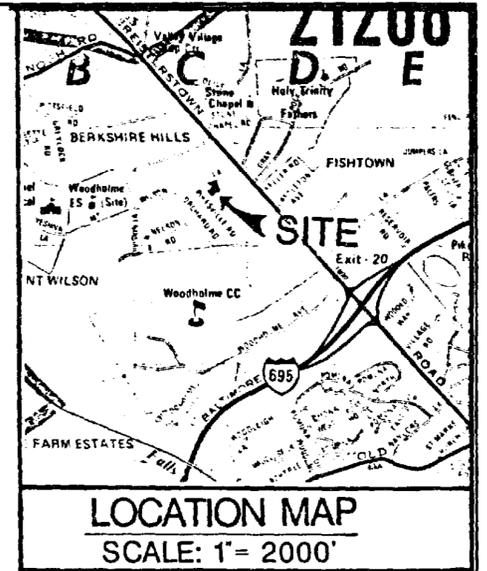
- ZONING HISTORY:
- CASE NO. 4791-X PETITION FOR SPECIAL EXCEPTION FOR ELECTRIC SUBSTATION DATE - 11/18/59
  - CASE NO. 882-77 RECLASSIFICATION FROM BM & DR3.5 TO BR DATE - 3/2/81
  - CASE NO. 88-183A VARIANCE FROM SEC 238.2 TO PERMIT REAR YARD SETBACK OF 5' IN LIEU OF REQUIRED 30' DATE - 11/25/87

PLANNING BIT 90-421-XA



Rev	Date	S.D./Ext. No.	Description	Approved	ENGINEERING	PLAN FOR SPECIAL EXCEPTION, VARIANCE & BUILDING PERMIT WITH LANDSCAPING
1990	11	EC-1022 E59M1400	INSTLN OF 1-20MVA 34.5-13KV TRANSF. 3-13KV FEEDER POS & 2-13KV DISTR FDNS (8860 & 8861)		Client: <i>LB</i> Proj. Engr: <i>DLT</i> Prj. Mgr: <i>DLT</i> Sup. Engr: <i>DLT</i>	34.5-13KV SUBSTATION MT. WILSON
A	2-8-90	EC-1022 E59M1400	REV PER COUNTY COMMENTS			BALTIMORE GAS AND ELECTRIC COMPANY DISTRIBUTION & TRANSMISSION DIVISION SYSTEM ENGINEERING SECTION Scale: 1" = 20'-0" Orig. No. 87-626-EX





**PARKING SPACE REQUIREMENTS**  
 WAREHOUSE, COMMERCIAL USE:  
 "1 FOR EACH 3 EMPLOYEES  
 IN THE NUMERICALLY LARGEST  
 SHIFT"  
 NUMBER OF EMPLOYEES - 10  
 SPACES REQUIRED - 4  
 SPACES PROVIDED - 13

13 EXIST. PARKING SPACES  
 BUSINESS USE ONLY

4 EXIST. PARKING SPACES  
 RESIDENT USE ONLY

- NOTES**
- OWNER: EMMETT H. BROOKS & WIFE  
 15 MOUNT WILSON LANE  
 BALTIMORE, MARYLAND 21208
  - DEED REFERENCE: 6288-491
  - ACCOUNT NUMBERS: 03-02-003442, 03-23-001028
  - EXISTING ZONING: BR
  - APPLICANT: EMMETT H. BROOKS  
 15 MOUNT WILSON LANE  
 BALTIMORE, MARYLAND 21208
  - ENGINEER: STAYLTON ASSOCIATES, INC.  
 21 GOVERNORS COURT  
 BALTIMORE, MARYLAND 21207  
 PHONE: 944-9112
  - ELECTION: DISTRICT 3
  - COUNCILMANIC DISTRICT: 3
  - SITE ACREAGE: 2.12 ACRES
  - COMMON OPEN SPACE: DENSITY CALCULATIONS  
 REQUIRED: NONE
  - OFFSTREET PARKING REQUIRED: 4 - PROVIDED 13
  - PROPOSED HEIGHT OF BUILDING: 12'
  - LANDSCAPING: AS PER BALTIMORE COUNTY REQUIREMENTS

**NOTE:**  
 ALL EXISTING BUILDINGS ARE  
 TO REMAIN, AND PRESENT  
 USE (AS INDICATED ON PLAN)  
 IS TO CONTINUE.

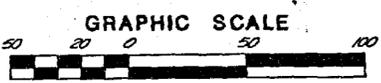
NO I.D. SIGNS ARE EXISTING  
 OR PROPOSED ON PROPERTY.

NO RETAIL SALES ARE  
 CURRENTLY, OR PROPOSED  
 TO BE CONDUCTED FROM  
 THIS PROPERTY.

PROPOSED BLDG. TO BE  
 USED FOR STORAGE OF  
 ELECTRICAL EQUIPMENT

PARKING - 13 (9x13)  
 PARKING SPACES ARE  
 PROVIDED.

**AREA - TOTAL PROPERTY**  
 2.12 ACRES ±  
 (92,502 S.F. ±)  
**PORTION OF PROPERTY**  
 ZONED DR 3.5 - APPROX. 40,500 SQ. FT.



*Re Honer's Exhibit #30*  
 MICROFILMED



**PLAT TO ACCOMPANY PETITION FOR VARIANCE**

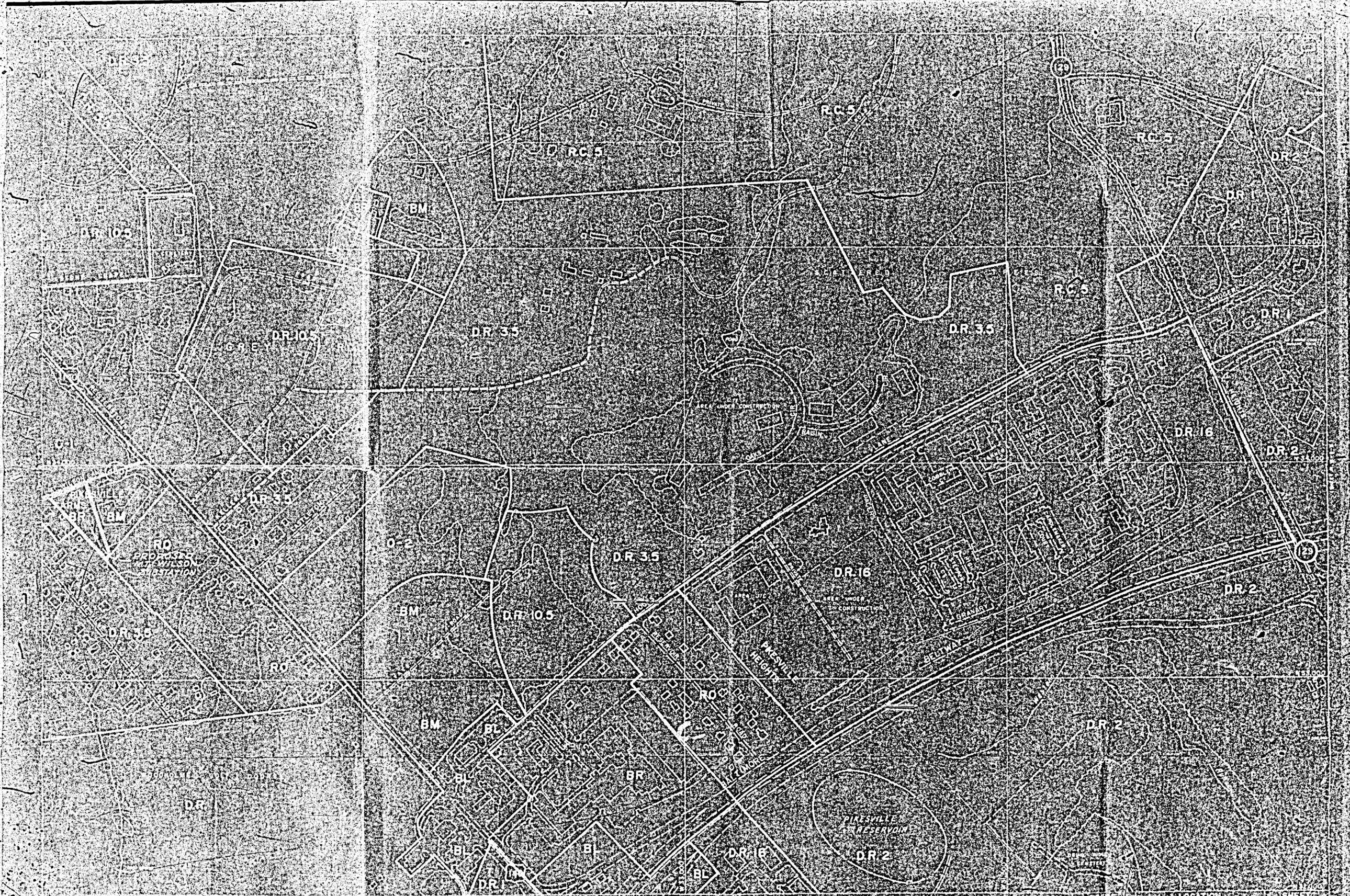
**STV/LYON ASSOCIATES.**  
 ENGINEERS, ARCHITECTS & PLANNERS  
 21 GOVERNORS COURT  
 BALTIMORE, MD 21207-2722

REV. 7-13-87 - ADDED NOTES  
 REV. 3-2-87 BLDG. RESTRICTION LINE 50' FROM CL AND GENERAL REVISIONS

**PLAN PREPARATION**  
 DRAWN BY: K.B.  
 CHECKED BY: AKC  
 DATE: 1/30/87  
 SCALE: 1" = 50'

**PROPOSED METAL STORAGE BLDG.**  
 15 MT. WILSON LANE 3RD ELECTION DIST.  
 BALTIMORE CO. MARYLAND

**DRAWING NO.**  
 7935-59-002  
**SHEET NO.**  
 1 of 2



BALTIMORE COUNTY  
 OFFICE OF PLANNING AND ZONING  
 OFFICIAL ZONING MAP

LOCATION	SHEET
PIKESVILLE	265
GREYFOOT	266

item #  
 265  
 90421XA



111 West Chesapeake Avenue  
Towson, MD 21204

July 13, 1994

(410) 887-3353

Martha A. Delea, Esquire  
Baltimore Gas and Electric  
Charles Center  
P.O. Box 1475  
Baltimore, MD 21203-1475

RE: Mt. Wilson Substation Property  
Road Widening  
Case Number 90-421-XA  
3rd Election District

Dear Ms. Delea:

Reference is made to our meeting last Tuesday, July 5, and your subsequent letter to Arnold Jablon, Director, dated July 7, 1994, which has been referred to me for reply. Essentially all of the points that you covered can be confirmed with some slight changes to the wording for clarity. Simply stated, any development in accordance with the site plan in the zoning case will not be affected by road widening even though the resulting street setbacks would be less than what was granted.

In addition to the zoning determination, and as requested at our meeting, this office needs red-lined public hearings plans indicating the new right-of-way lines. This plan (2 copies) would, at our request, be reviewed by E. Avery Harden, Landscape Coordinator in Public Works, and John J. Dillon, Planner in the Office of Planning and Zoning, both for concurrence with our zoning determination.

The plans should be accompanied by a revised cover/confirmation letter (see attached changes) and a check for \$40.00 made payable to Baltimore County, Maryland.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3351 (FAX - 887-3708).

Very truly yours,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

MCR:scj

cc: E. Avery Harden  
John J. Dillon



CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203-1475

MARTHA A. DELEA  
ATTORNEY  
(410) 234-5987

July 7, 1994

RECEIVED  
JUL 11 1994  
ZADM

Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: *Road Widening*  
Mt. Wilson Substation Property  
Case 90-421-XA  
3rd Election District

Dear Mr. Jablon:

Baltimore Gas and Electric Company (BGE) owns a 0.776 acre parcel of land on the south side of Mt. Wilson Lane, near Reisterstown Road. The property is currently being used for an outdoor electric substation. The existing substation facilities were installed pursuant to Zoning Special Exception Number 90-421-XA, which Order was issued on April 30, 1990 (the "BGE Order"). The BGE Order also provides for the installation of future facilities as shown on the plat that accompanied the Petition. Enclosed herewith are copies of the BGE Order and the final plat which was modified per the BGE Order.

Recently, Sol Levinson Brothers, Inc. ("Levinson"), the contract purchaser of a parcel of land on the north side of Mt. Wilson Lane, filed an Application for a Zoning Special Exception to allow its use of the property for a funeral establishment. An Order was issued on May 23, 1994 (the "Levinson Order") authorizing this use subject to certain conditions. Condition number 3 reads as follows:

"3) The Petitioner shall be required to perform the necessary improvements to Mt. Wilson Lane, on both the north and south sides thereof, which could involve the widening of Mt. Wilson Lane along the BGE property as depicted on Petitioner's Exhibit 1."

Arnold Jablon  
August 26, 1994  
Page 2

The language in condition 3 was subsequently clarified by the Hearing Examiner in his letter to Robert A. Hoffman, Esq. dated June 22, 1994. Enclosed herewith are copies of the Levinson Order and the letter to Mr. Hoffman dated June 22, 1994.

Mt. Wilson Partnership, Inc., the owner of the shopping center located on the south side of Mt. Wilson Lane, to the east of BGE's property, filed an Appeal objecting to the Levinson Order. As a condition of dismissing its appeal, the shopping center owner has demanded that a turn lane be installed on the south side of Mt. Wilson Lane.

Levinson has determined that, in order to satisfy the Hearing Examiner's requirement concerning road work, it would be more cost effective to construct only minor road improvements on the north side of Mt. Wilson Lane and to widen the road on the south side.

For the reasons set forth above, both Levinson and the shopping center owner have requested that BGE convey a portion of its substation property to Levinson for highway widening purposes.

BGE is willing to make such a conveyance as long as the zoning status of its existing and future facilities, as shown on its approved Special Exception plat, will not be adversely affected by this conveyance.

Representatives from BGE have spoken with Carl Richards and Kate Milton concerning this matter. Mr. Richards advised us as follows:

1. This conveyance would be within the spirit and intent of the zoning regulations and the BGE Order.

2. The existing facilities will not, by reason of the conveyance, be considered "non-conforming". The setback will be technically non-conforming, but all improvements made in accordance with the Special Exception plat will not violate the zoning regulations or the BGE Order.

MARTHA A. DELEA  
ATTORNEY  
(410) 234-5987

August 26, 1994

Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Road Widening  
Mt. Wilson Substation Property  
Case 90-421-XA  
Third Election District

Dear Mr. Jablon:

Baltimore Gas and Electric Company (BGE) owns a 0.776 acre parcel of land on the south side of Mt. Wilson Lane, near Reisterstown Road. The property is currently being used for an outdoor electric substation. The existing substation facilities were installed pursuant to Zoning Special Exception Number 90-421-XA, which Order was issued on April 30, 1990 (the "BGE Order"). The BGE Order also provides for the installation of future facilities as shown on the plat that accompanied the Petition. Enclosed herewith are copies of the BGE Order and the final plat which was modified per the BGE Order.

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Arnold Jablon  
July 7, 1994  
Page 2

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Mt. Wilson Office Center Limited Partnership, the owner of the shopping center located on the south side of Mt. Wilson Lane, to the east of BGE's property, filed an appeal objecting to the Levinson Order. As a condition of withdrawing its appeal, the shopping center owner has demanded that a turn lane be installed on the south side of Mt. Wilson Lane.

Levinson has determined that, in order to satisfy the Hearing Examiner's requirement concerning road work, it would be more cost effective to construct only minor road improvements on the north side of Mt. Wilson Lane and to widen the road on the south side.

For the reasons set forth above, both Levinson and the shopping center owner have requested that BGE convey a portion of its substation property to the County for highway widening purposes.

BGE is willing to make such a conveyance as long as the zoning status of its existing and future facilities, as shown on its approved Special Exception plat, will not be adversely affected by this conveyance.

Representatives from BGE have spoken with Carl Richards and Kate Milton concerning this matter. Mr. Richards advised us as follows:

1. This conveyance would be within the spirit and intent of the zoning regulations and the BGE Order.

2. The existing facilities will not, by reason of the conveyance, be considered "non-conforming". The setback will be technically non-conforming, but all improvements made in accordance with the Special Exception plat will not violate the zoning regulations or the BGE Order.

3. The installation of the future facilities in the locations shown therefor on the approved Special Exception plat will not require any hearings or front setback variances beyond the additional

Arnold Jablon  
August 26, 1994  
Page 3

3. The installation of the future facilities in the locations shown therefor on the approved Special Exception plat will not require any additional hearings or front setback variances (beyond the hearing already held and the front setback variance already granted).

4. The conveyance will not have any other adverse impact upon the zoning status of the existing and future facilities shown on the approved Special Exception plat.

5. The advice set forth in Items 1 through 4 above applies regardless of whether the road widening causes the centerline of Mt. Wilson Lane to move southward, as long as BGE does not build any future facilities northward of the locations shown therefor on the approved Special Exception plat.

Please confirm that Mr. Richards' advice is correct by countersigning the enclosed copy of this letter in the space provided below.

Very truly yours,

*Martha A. Delea*

Martha A. Delea

Enclosures

*W. Carl Richards, Jr.*  
Arnold Jablon, Director

Date 8/31/94

Arnold Jablon  
July 7, 1994  
Page 3

*hearing already held and the front setback variance already granted.*

4. The conveyance will not have any other adverse impact upon the zoning status of the existing and future facilities shown on the approved Special Exception plat.

5. The advice set forth in Items 1 through 4 above applies regardless of whether the road widening causes the centerline of Mt. Wilson Lane to move southward, as long as BGE does not build any future facilities northward of the locations shown therefor on the approved Special Exception plat.

Please confirm that Mr. Richards' advice is correct by countersigning the enclosed copy of this letter in the space provided below.

Very truly yours,

*Martha A. Delea*

Martha A. Delea

Enclosures

Arnold Jablon, Director

Date

07/05/94 16:27 4104946200

VENABLE BAH

0002

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

Jul 22, 1994

(410) 887-4386

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE  
NW/Cor. Reisterstown Road and Mt. Wilson Lane  
3rd Election District - 3rd Councilmanic District  
Mt. Wilson Office Center Limited Partnership - Petitioners  
Case No. 94-384-XA

Dear Mr. Hoffman:

I am in receipt of your letter dated June 6, 1994 concerning the Order issued May 23, 1994 in the above-captioned matter. Specifically, you have requested a clarification of Restriction No. 3 thereof as to the required improvements to Mt. Wilson Lane and the specific locations of same, and clarification of the Order with respect to the use of the property on Saturdays.

In consideration of the comments contained in your letter, I have reviewed the Order issued May 23, 1994 and offer the following comments. The Petitioner shall be required to perform the necessary improvements on the north side of Mt. Wilson Lane along their property line as shown on Petitioner's Exhibit 1. This does not preclude or require the Petitioners improve Mt. Wilson Lane on the south side, including a portion of the property bordering B G & E's property line.

As to the use of the property on Saturdays, testimony indicated that there would be no funerals or church services taking place on Saturdays. While the Order states that there would be no "activity" taking place on Saturdays, it is understood that this does not preclude the Petitioners' employees from performing their duties on the site which are pertinent to the use of the property on regular business days.

I hope the above clarifies the intent of the Order issued in this matter. Should you have any further questions on the subject, please do not hesitate to contact me.

*Timothy H. Kotrood*

TIMOTHY H. KOTROOD  
Deputy Zoning Commissioner  
for Baltimore County

THK:bjjs

In Re: Petition For Special Exception and Variance s/s Mt. Wilson Lane, 200' ± NE of Pikeville Road (15 Mt. Wilson Lane) 3rd Election District 3rd Councilmanic District Baltimore Gas and Electric Company, et al. Petitioners

Before The Deputy Zoning Commissioner of Baltimore County Case No. 90-421-XA

Findings of Fact and Conclusions of Law

The Petitioner herein requests a special exception to permit the construction of an outdoor electric public utility service center (substation) in a BR zone (Business, Roadside) and Variances from Section 102.2 and 238.2 BCZR to permit a rear yard setback of 10 feet in lieu of the required 30 feet and from Section 303.2 BCZR to permit a front yard setback of 50 feet in lieu of the required 82 feet, as well as an amendment to the parking layout required in Zoning Commissioner Case No. 88-183-A, all as more particularly described in Petitioner's Exhibit No. 1.

The Petitioner, The Baltimore Gas & Electric Company ("BG&E"), Contract Purchaser, by Charles T. Lacey, Jr., Project Engineer, and Herman William Koletschke, Electrical Planner, appeared and were represented by John B. Howard, Esquire and Martha A. Delea, Esquire. Also appearing on behalf of the Petitioners was Bernard Semon, a Professional Real Estate Appraiser. Emmett Brooks, legal owner of the property and Rabbi Jerome Kadin of Ner Israel Rabbinical College appeared as interested parties. There were no protestants.

The subject property known as 15 Mt. Wilson Lane consists of 0.776 of an acre ± zoned BR (Business, Roadside) and is located on the south side of Mt. Wilson Lane, 200 feet northeast of Pikeville

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Date 4/30/90  
By [Signature]

Road. Testimony presented indicated that the Baltimore Gas & Electric Company ("BG&E") proposes to construct an outdoor electric public utility service center (substation) on the subject property serve the surrounding community with electrical power. Mr. Koletschke emphasized the urgent need for the additional substation due to the load growth that has occurred over the last several years along the Reisterstown Road Corridor between the existing Dolfield and Pikeville substations. The proposed substation, which will be known as the Mt. Wilson Substation as depicted on Petitioner's Exhibit No. 1 will lighten the load on the other substations now servicing this area.

The proposed project will be limited to an unmanned, outdoor electric public utilities service center (substation) and will require limited maintenance. Messrs. Lacey's and Semon's testimony indicated that the granting of a special exception will not conflict with any of the requirements of Section 502.1 BCZR and that the requirements of Section 411 will be met. Mr. Semon then testified that there would be no adverse effect upon the surrounding property values. Photographs of the surrounding area and the proposed location were submitted in support of Petitioner's testimony.

With regard to the variances, Mr. Lacey testified that the substation could not be constructed due to the irregular configuration and size of that site if the required setbacks were imposed. Finally, Mr. Lacey testified that he believed that the setback provided would not adversely impact the surrounding neighborhood.

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Also appearing at the hearing were Mr. Emmett H. Brooks, owner of the adjacent Alger Electric property and Rabbi Jerome Kadin, Associate Director of the nearby Ner Israel Rabbinical College who expressed no opposition to the requested special exception and variances.

It is clear that the BCZR permits the use proposed in a BR zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore it must be determined whether the conditions as delineated in Section 502.1 have been satisfied.

The Petitioner has the burden of adducing testimony and evidence which would show that the proposed use meets the prescribed standards and requirements set forth in Section 502.1 of the BCZR. The Petitioner has shown the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit No. 1 would have any adverse impact above and beyond that inherently associated with such a special exception use irrespective of its location within the zone Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety or general welfare of the locality or tend to create congestion in roads, streets or alleys therein or be inconsistent with the purposes of the property's zoning classification nor in any other way be inconsistent with the spirit and intent of the BCZR.

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By [Signature]

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted, with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Solay, 270 Md. 208, 310 A.2d 783 (1973). To prove practical difficulty for an area variance, a Petitioner must meet the following:

- Whether strict compliance with the requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- Whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Board of Appeals, Town of Chesapeake Beach, 22 Md. App. 28, 322 A.2d 220 (1974).

It is clear from the testimony that if the variance is granted, such uses proposed would not be contrary to the spirit of the BCZR and would not result in substantial detriment to the public health, safety and general welfare.

The subject property was owned by BG&E until 1981 when it was sold to Emmett Brooks and his wife, with BG&E retaining a right to repurchase the property. In 1988, Mr. Brooks obtained a variance in Zoning Commissioner Case No. 88-183-A to permit the "cold storage building" shown on Petitioner's Exhibit No. 1. BG&E has now contracted to repurchase the subject property.

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Date 4/30/90  
By [Signature]

It must be clear to Petitioner that the relief granted herein is to permit the use of the property for an electric utility substation and does not permit use of the "cold storage building". The use of that building will be addressed in the pending Zoning Commissioner Case No. 90-46-A.

Pursuant to the advertisement, posting of the property and public hearing these petitions held, and for the reasons given above, the special exception and variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 30<sup>th</sup> day of April, 1990 that the Petition for Special Exception to approve the construction of an outdoor electric utility service center (substation) in a BR zone, in accordance with Petitioner's Exhibit No. 1 and the Petition for Variance from Section 102.2 and 238.2 BCZR to permit a rear setback of 10 feet in lieu of the required 30 feet and from Section 303.2 BCZR to permit a front yard setback of 50 feet in lieu of the required 82 feet all for the electric utility substation, and to relocate parking spaces required for an unrelated use permitted in Zoning Commissioner Case No. 88-183-A be and are hereby granted, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- The Petitioner may apply for its building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed the Petitioner would be required to return, and be responsible for returning said property to its original condition.

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Date 4/30/90  
By [Signature]

2. Prior to the issuance of any permits, Petitioner shall submit a landscaping plan for approval by the Baltimore County Landscape Planner and the Deputy Director of the Office of Planning and Zoning. The landscaping required may exceed that set forth in the Baltimore County Landscape Manual.

3. The relief granted herein does not relate to, nor does it permit the use of the building labeled "cold storage building" shown on Petitioner's Exhibit No. 1 and the accompanying parking relocated to the south of the cold storage building.

4. Prior to the issuance of building permits or 30 days from the date of this Order, whichever is sooner, a new plat shall be submitted which shows a revised special exception area, the southeast boundary of which shall clearly separate the electric utility substation use from the cold storage building and accompanying relocated parking. A set of and bounds description of the special exception area shall accompany the revised site plan. Said plan shall be submitted for review and approval by the Deputy Zoning Commissioner.

5. The construction of the electrical utility substation shall comply with the development regulations currently in effect.

6. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restriction in this Order.

*Ann M. Nastarowicz*  
ANN M. NASTAROWICZ  
Deputy Zoning Commissioner for Baltimore County

ORDER RECEIVED FOR FILING  
Date 4/30/90  
By [Signature]

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

April 30, 1990



John B. Howard, Esquire  
210 Allegheny Avenue, Suite 700  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE  
S/S Mt. Wilson Lane, 200' NE of Pikeville Road  
(15 Mt. Wilson Lane)  
3rd Election District - 3rd Councilmanic District  
Emmett H. Brooks, Jr., et ux - Petitioners  
Case No. 90-421-XA

Dear Mr. Howard:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

*Ann M. Nastarowicz*  
ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ANN:bjs  
cc: People's Counsel  
File

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-421-XA

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for the construction of an outdoor electric public utility service center in a BR Zone (Business, Roadside).

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Baltimore Gas and Electric Company (Type or Print Name)	Legal Owner(s): Emmett H. Brooks, Jr. (Type or Print Name)
By: <i>George D. England</i> Signature George D. England, Vice President - Bldg.	<i>Emmett H. Brooks, Jr.</i> Signature
C.&E. Bldg., P. O. Box 1475 Address	Leola M. Brooks (Type or Print Name)
Baltimore, MD 21203 City and State	<i>Leola M. Brooks</i> Signature
Attorney for Petitioner: John B. Howard, Esquire (Type or Print Name)	15 Mt. Wilson Lane Address
<i>J. B. Howard</i> Signature	Pikesville, MD 21208 City and State
210 Allegheny Avenue Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Towson, MD 21204 City and State	William E. Colburn, Esquire Name
Attorney's Telephone No.: 824-4111	Baltimore Gas and Electric Company P. O. Box 1475, Baltimore, MD 21203 - 234-5669 Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 7 day of March, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 25 day of April, 1990 at 9:30 o'clock A.M.

*J. Robert Haines*  
Zoning Commissioner of Baltimore County

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Date 4/30/90  
By [Signature]

Filed 2/1/90  
[Signature]  
[Signature]  
[Signature]

(over)

TO: W. Carl Richards, Coordinator  
Development Control Section, ZADM

DATE: August 8, 1994

FROM: Jack Dillon, Community Planning, OPZ

SUBJECT: Mt. Wilson Substation Property  
Road Widening  
Case No. 90-421 XA  
3rd Election District

As a follow-up on your July 13, 1994 letter to Martha A. Delea of the Baltimore Gas and Electric Company (BG&E), Avery Harden and I met with representatives from BG&E, G.W. Stephens and the Design Collective. We met at the site on Tuesday August 2, 1994 and decided on a design concept which will include; road widening, sidewalk, street trees, shrubbery, and guard rail. We expect to review sketch plans when they are finished.

JD:bjs

c: Robert Hoffman, Esq.  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson MD 21204  
Avery Harden, DPW

BALTIMORE COUNTY, MARYLAND No. 150430

OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 8/30/94 ACCOUNT 001-6150

AMOUNT \$ 40.00 (WCR)

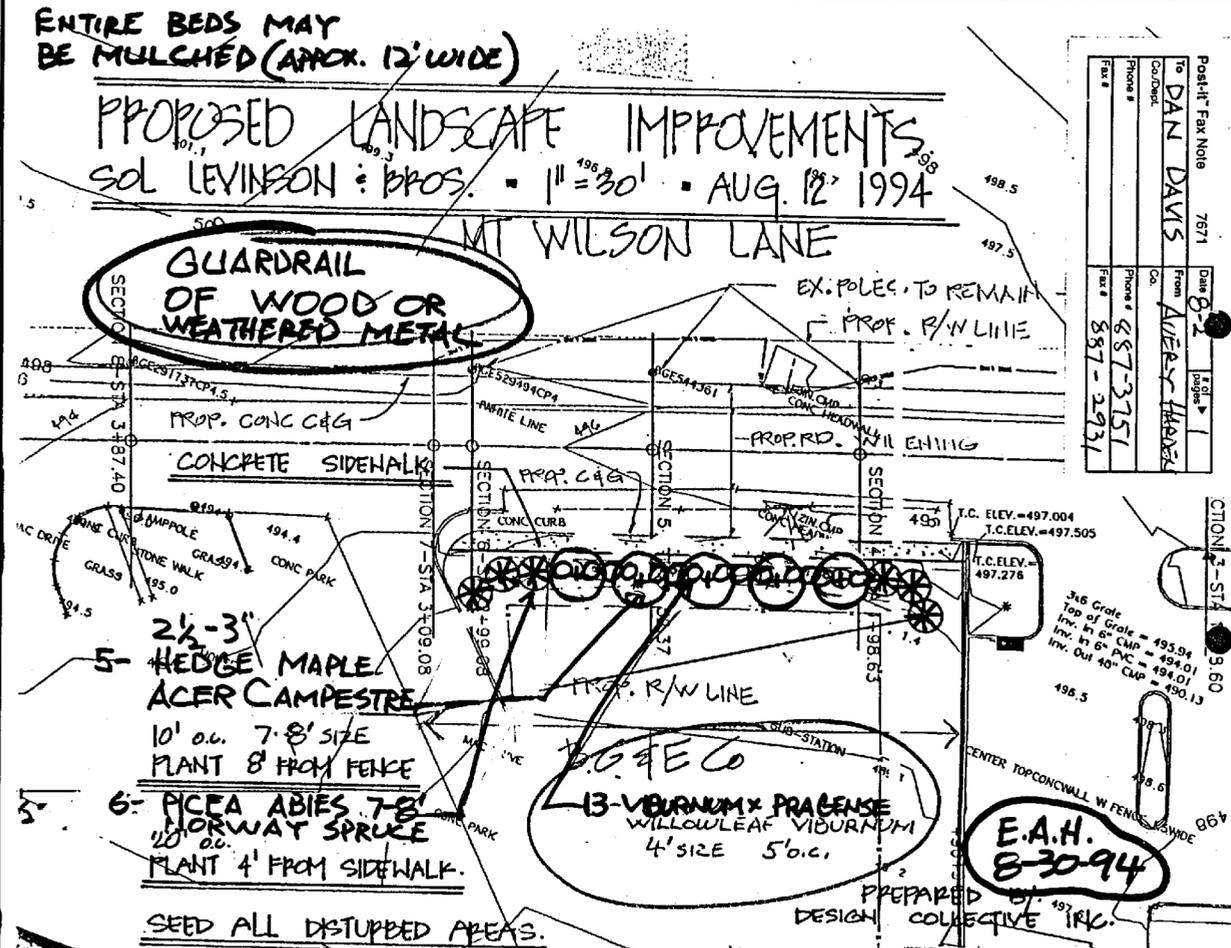
RECEIVED FROM: Venable, Baetjer & Howard

#710 - VERIFICATION  
Mt. Wilson Substation

FOR: #90-421 XA

AMOUNT \$40.00

VALIDATION OR SIGNATURE OF CASHIER



Postnet Fax Note 7671

To: DAN DAVIS

From: AVERY HARDEN

Phone # 887-3251

Fax # 887-3231

IN RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE - NW/Cor. Reisterstown Road and Mt. Wilson Lane 3rd Election District 3rd Councilmanic District

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

Mt. Wilson Office Center Limited Partnership - Petitioners

Case No. 94-384-XA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

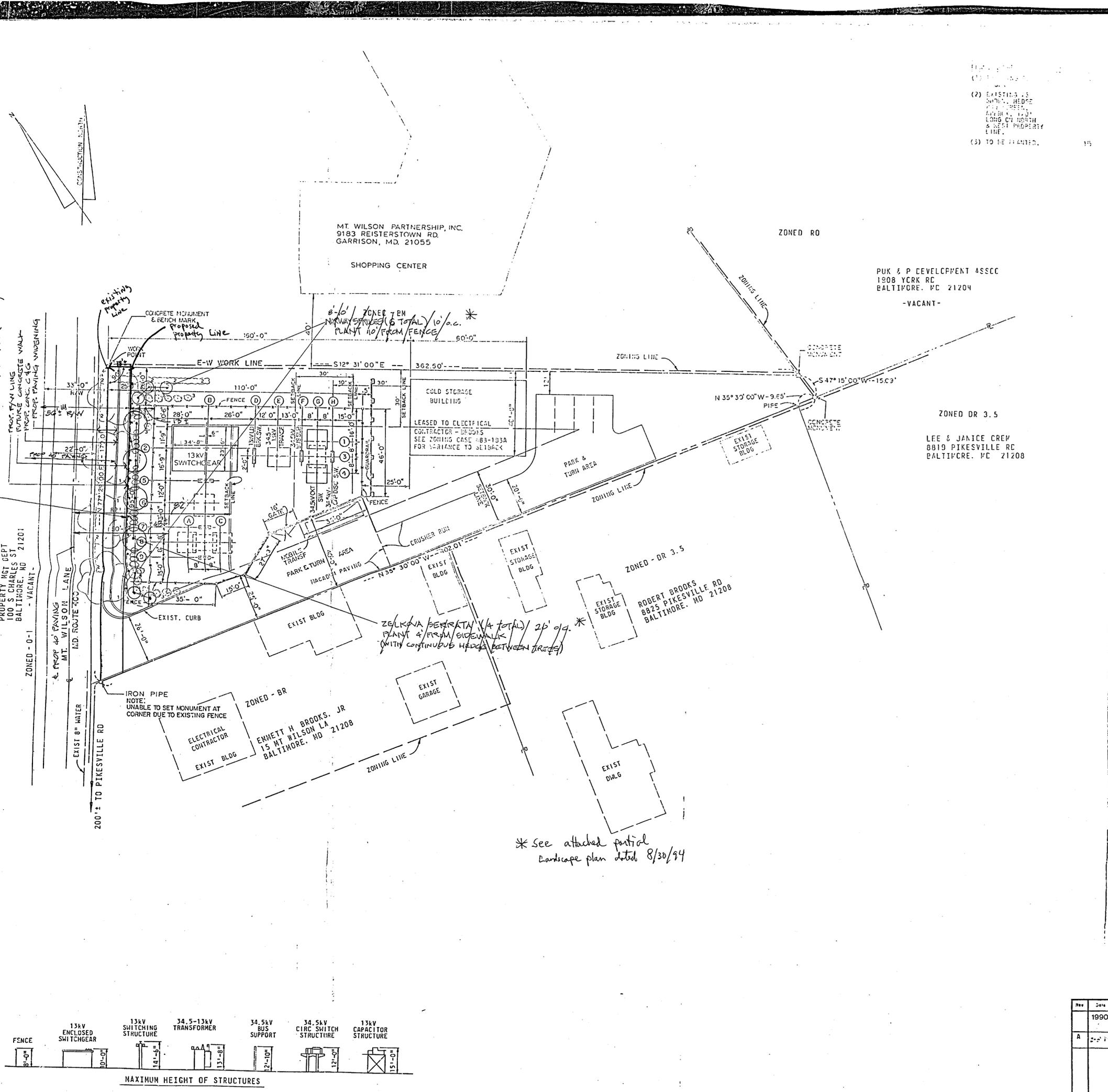
This matter comes before the Deputy Zoning Commissioner as a Petition for Special Exception and Variance for the subject property located at the corner of Reisterstown Road and Mt. Wilson Lane in the Pikesville area of northwestern Baltimore County. The Petition was filed by the owners of the property, Mt. Wilson Office Center Limited Partnership, by Columbia Realty, Inc., a General Partner, through Robert R. Moxley, President, and the Contract Purchaser, Sol Levinson Brothers, Inc., by Irvin B. Levinson, Vice President. The Petitioners seek a special exception to permit a funeral establishment on the subject property, pursuant to Sections 204.3.B.1 and 1801.1.C.8, and variance relief from Section 413.1.A of the B.C.Z.R. to permit an illuminated sign of 50 sq.ft. in lieu of the maximum permitted 1 sq.ft. The subject property and relief sought are more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petitions were Irvin, Ira, Burton and Stanley Levinson for Sol Levinson Brothers, Inc., Contract Purchaser, George Frizzell, Real Estate Appraiser, Wes Guckert, Traffic Engineering expert with The Traffic Group, Rabbi H. N. Neuberger, Edward Haladay, Architect, and others. The Petitioners were represented by Robert A. Hoffman, Esquire. Appearing as Protestants in the matter were numerous residents of the surrounding community, including Kenneth Sidle, Lillian

ORDER RECEIVED FOR FILING

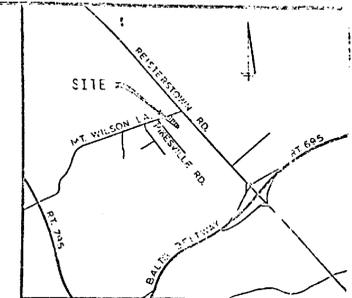
Date 8/30/94

By [Signature]



- (1) TO BE MAINTAINED.
- (2) EXISTING 4\"/>
- (3) TO BE MAINTAINED.

PIPE  
 15  
 4\"/>



VICINITY MAP  
 SCALE: 1" = 2000'

MT WILSON PARTNERSHIP, INC.  
 9183 REISTERSTOWN RD.  
 GARRISON, MD. 21055

ZONED RO

PUK & P DEVELOPMENT ASSOC  
 1908 YCRK RD  
 BALTIMORE, MD 21204

-VACANT-

ZONED DR 3.5

LEE & JANICE CREW  
 8819 PIKESVILLE RD  
 BALTIMORE, MD 21208

ZONED - DR 3.5

ROBERT BROOKS  
 8825 PIKESVILLE RD  
 BALTIMORE, MD 21208

ZONED - BR

EMMETT H. BROOKS, JR.  
 15 MT WILSON LA  
 BALTIMORE, MD 21208

\* See attached partial  
 landscape plan dated 8/30/94

J. W. MUCKEY (PROP. L.S. 116)  
 DISTRIBUTION & TRANSMISSION ENGR. DEPT.  
 BALTIMORE GAS & ELECTRIC COMPANY

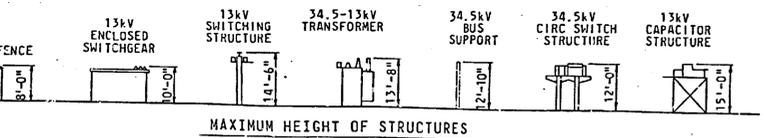
- REQUESTED VARIANCES:
1. SEC. 235.2 & SEC. 102.2  
 PERMIT REAR SETBACK FOR SUBSTATION  
 OF 10' IN LIEU OF REQUIRED 30'.
  2. SEC. 303.2  
 PERMIT FRONT YARD SETBACK OF 50' IN  
 LIEU OF REQUIRED 82'.

THIS PROPERTY LOCATED IN  
 3RD ELECTION DISTRICT  
 OF BALTIMORE COUNTY, MARYLAND  
 ZONED - BR  
 TAX MAP-68 PARCEL-188 GRID-13/19  
 AREA-0.776 AC±  
 TITLE REFERENCE - 6288/491  
 TAX ACCOUNT NO - 03 02003442  
 OWNER - EMMETT H. BROOKS & WF  
 15 MT WILSON LA  
 BALTIMORE, MD 21208  
 UNMANNED SUBSTATION

- ZONING HISTORY:
1. CASE NO. 4791-X  
 PETITION FOR SPECIAL EXCEPTION FOR  
 ELECTRIC SUBSTATION  
 DATE - 11/18/89
  2. CASE NO. 882-77  
 RECLASSIFICATION FROM DR & DR3.5 TO BR  
 DATE - 3/2/81
  3. CASE NO. 88-183A  
 VARIANCE FROM SEC. 238.2 TO PERMIT  
 REAR YARD SETBACK OF 5' IN LIEU OF  
 REQUIRED 30'  
 DATE - 11/25/87

*Marked Up*

RED LINE REVISION TO CASE N2 90-421-XA  
 APPROVED PLAN  
 AUG 18, 1994  
 REVISED AUG 25, 1994



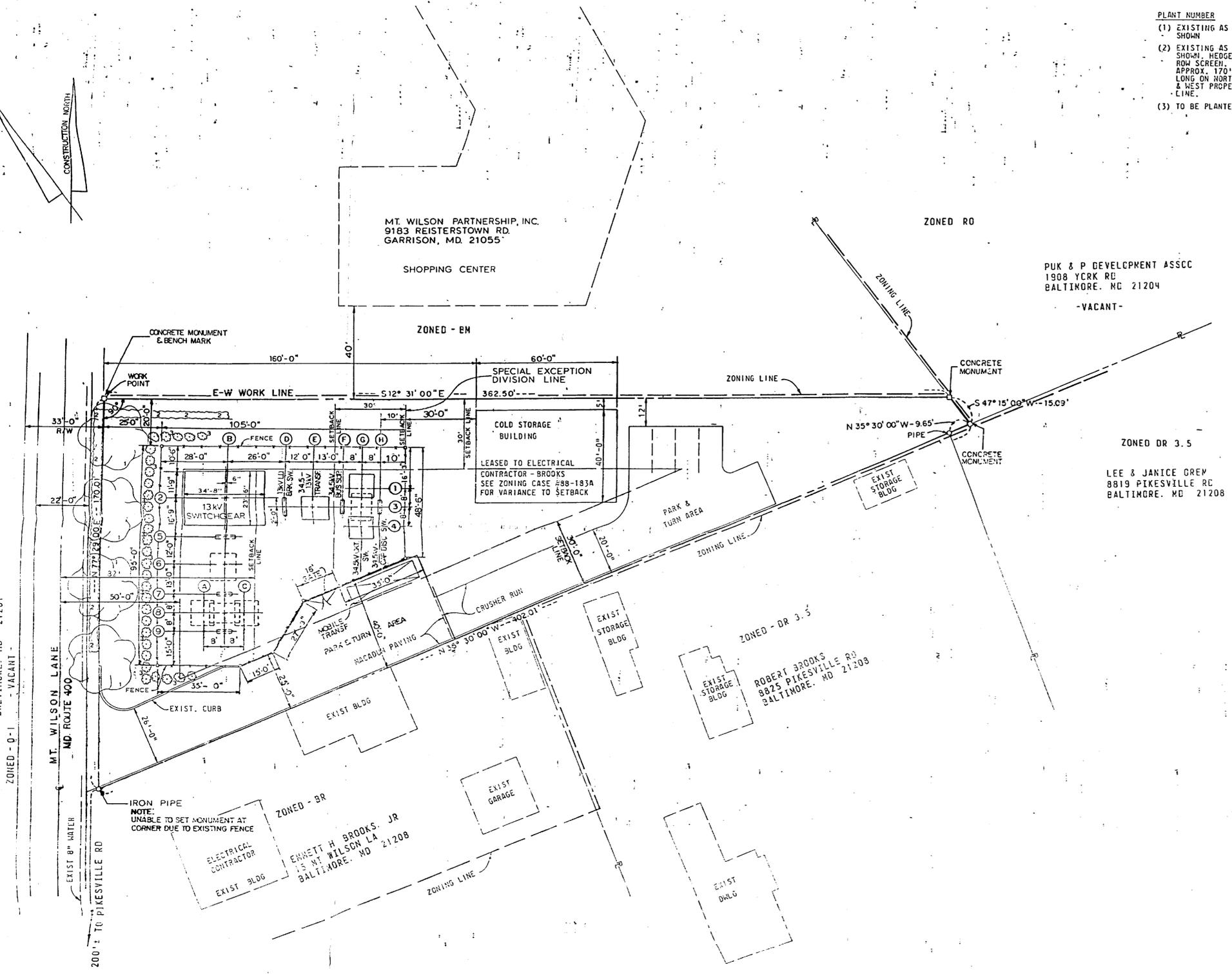
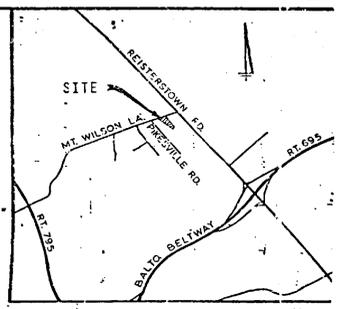
Rev	Date	D.O./Est. No.	Description	Approved
	1990	EC-1022 E59M1400	INSTLN OF 1-20MVA 34.5-13KV TRANSF. 3-13KV FEEDER POS. & 2-13KV DISTR. FORS (8660 & 8661)	
A	2-2-94	EC-1022 E59M1400	REV PER COUNTY COMMENTS D.E.T.	

ENGINEERING	Civil	.....
	Elec.	.....
	Prof. Engr.	.....
	Pr. J. Engr.	.....
	Supr. Engr.	.....
DESIGN GROUP	BALTIMORE GAS AND ELECTRIC CO. INC.	
Draftsman	.....	
Checker	.....	

PLAN FOR SPECIAL EXCEPTION  
 VARIANCE & BUILDING PERMIT  
 WITH LANDSCAPING  
 34.5-13KV SUBSTATION  
 MT. WILSON  
 BALTIMORE GAS AND ELECTRIC CO. INC.  
 DISTRIBUTION & TRANSMISSION ENGR. DEPT.  
 SYSTEM, 2117 REISTERSTOWN RD., BALTIMORE, MD 21208  
 SCALE: 1" = 20'-0"

PLANT NUMBER	# REQ'D/EXISTING	PLANT NAME	SIZE
(1) EXISTING AS SHOWN	4	JUGLANS NIGRA - BLACK WALNUT	APPROX. 12" DIAMETER, BREAST HEIGHT - 30" TALL.
(2) EXISTING AS SHOWN, HEDGE ROW SCREEN, APPROX. 170' LONG ON NORTH & WEST PROPERTY LINE.		LIGUSTRUM OVALIFOLIUM - CALIFORNIA PRIVET	5' - 5" TALL.
(3) TO BE PLANTED.	30	THUJA OCCIDENTALIS NIGRA-ABORVITAE	4' - 5' TALL



PROPERTY MGT. DEPT  
100 S CHARLES ST  
BALTIMORE, MD 21201

ZONED - O-1

VACANT

MT WILSON LANE

MD ROUTE 400

EXIST 8" WATER

200' TO PIKESVILLE RD

ZONED - BR

VACANT

ZONED - DR 3.5



J. MICKEY (PROP. L.S.#115)  
DISTRIBUTION & TRANSMISSION ENGR DEPT  
BALTIMORE GAS & ELECTRIC COMPANY

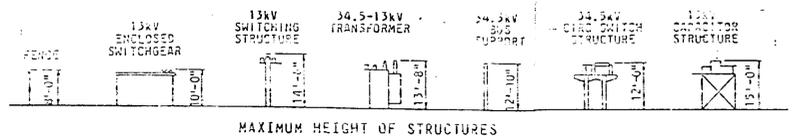
- ZONING HISTORY:
- CASE NO. 4791-X  
PETITION FOR SPECIAL EXCEPTION FOR  
ELECTRIC SUBSTATION  
DATE - 11/18/59
  - CASE NO. 882-77  
RECLASSIFICATION FROM BR & DR3.5 TO BR  
DATE - 3/2/81
  - CASE NO. 89-1832  
VARIANCE FROM SEC 238.2 TO PERMIT  
REAR YARD SETBACK OF 5' IN LIEU OF  
REQUIRED 30'  
DATE - 11/25/87
  - CASE NO. 90-421-42  
SEC 238.2 & SEC 102.2  
APPROVE REAR SETBACK AND SUBSTITUTION  
OF 10' IN LIEU OF REQUIRED 30'  
SEC 303.2  
PERMIT FRONT YARD SETBACK OF 50' IN  
LIEU OF REQUIRED 32'  
DATE - 4/30/90

THIS PROPERTY LOCATED IN  
3RD ELECTION DISTRICT  
OF BALTIMORE COUNTY, MARYLAND  
ZONED - BR  
TAX MAP-59 PARCEL-188 GRID-10/19  
AREA-D, 175 AC  
TITLE REFERENCE - 52682/491  
TAX ACCOUNT NO - 00 02003442  
OWNER - ENNETT H BROOKS & W F  
15 MT WILSON LA  
BALTIMORE, MD 21208  
UNMANNED SUBSTATION

ORIG

SHEET 1 OF 2

Rev	Date	Description	Appr'd	ENGR	PLAN FOR SPECIAL EXCEPT
1	11/18/59	INSTALL OF 13KV SWG			VARIANCE & BUILDING PER
2	3/2/81	RECLASSIFICATION FROM BR & DR3.5 TO BR			WITH LANDSCAPING
3	11/25/87	VARIANCE FROM SEC 238.2 TO PERMIT REAR YARD SETBACK OF 5' IN LIEU OF REQUIRED 30'			
4	4/30/90	APPROVE REAR SETBACK AND SUBSTITUTION OF 10' IN LIEU OF REQUIRED 30'			



DESCRIPTION  
ZONING SPECIAL EXCEPTION  
MT. WILSON SUBSTATION

ALL that parcel of land lying and being in the third election district of Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same at an iron pipe heretofore set on the south side of Mt. Wilson Lane, said iron pipe being located 200 feet more or less northeast of Pikeville Road, and 457 feet more or less from the southeast side of Reisterstown Road, 66 feet wide; said iron pipe also being situate at the intersection of said side of Mt. Wilson Lane with the northeasternmost outline of the plat of Pikeville Farms, Lane with the northeasternmost outline of the plat of Pikeville Farms, recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 7; thence leaving said place of beginning and binding on the south side of Mt. Wilson Lane North 77 degrees 29 minutes East 170.01 feet to a concrete monument heretofore set; thence leaving the south side of Mt. Wilson Lane and running the three following courses and distances:

- 1) South 12 degrees 31 minutes East 142.00 feet to a point;
- 2) South 77 degrees 29 minutes West 109.78 feet to a point and to intersect the aforesaid northeasternmost outline of Pikeville Farms;
- 3) North 35 degrees 30 minutes West along a portion of the northeasternmost outline of Pikeville Farms 154.24 feet to the place of beginning.

CONTAINING 0.456 of an acre of land, more or less.

BEING a part of the property which by deed dated May 6, 1981 and recorded among the Land Records of Baltimore County in Liber 6288, Folio 491 was conveyed by Baltimore Gas and Electric Company to Emmett H. Brooks, Jr. and Leola M. Brooks, his wife.

John M. White / 5/17/90

(ntwils.jwm)

MEM # 265

PETITION FOR ZONING VARIANCE  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: **90-421-XA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 102.2 and 230.2 of the Baltimore County Zoning Regulations to permit a rear yard setback of 30 feet for a public utility service center (substation) instead of the required 50 feet, and to relocate the parking spaces and amend the site plan as required in Variance Case #89-183A.

Proposed outdoor public utility service center (substation) instead of the required 50 feet, and to relocate the parking spaces and amend the site plan as required in Variance Case #89-183A.

Strict compliance with the set back provisions set forth in the Business, Roadside Zone (S.R.) ceases an unreasonable hardship and practical difficulty on the Applicant by preventing it from constructing and operating a proposed outdoor public utility service center (substation) which is needed to provide relief to the Applicant's existing electrical facilities supplying electric power to its customers in the area, due to an increase in the demand for electricity in the vicinity.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: BALTIMORE GAS AND ELECTRIC COMPANY  
Legal Owner(s): Emmett H. Brooks, Jr.  
Signature: George D. England, Vice President  
Signature: Emmett H. Brooks, Jr.  
Address: 210 Allegheny Avenue, Baltimore, MD 21204  
Address: 15 Mt. Wilson Lane, Pikesville, MD 21208  
City and State: Baltimore, MD 21203  
City and State: Pikesville, MD 21208

ORDERED BY THE Zoning Commissioner of Baltimore County, this 25 day of April, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 25 day of April, 1990, at 9:30 o'clock.

J. Robert Haines  
Zoning Commissioner of Baltimore County

ZONING DESCRIPTION  
MT. WILSON SUBSTATION

**90-421-XA**

ALL that parcel of land lying and being in the third election district of Baltimore County, State of Maryland, and described as follows:

BEGINNING for the same at an iron pipe heretofore set on the south side of Mt. Wilson Lane, said iron pipe being located 200 feet more or less northeast of Pikeville Road, and 457 feet more or less from the southwest side of Reisterstown Road, 66 feet wide; said iron pipe also being situate at the intersection of said side of Mt. Wilson Lane with the northeasternmost outline of the plat of Pikeville Farms, recorded among the Land Records of Baltimore County in Plat Book W.P.C. No. 7, folio 7; thence leaving said place of beginning and binding on the south side of Mt. Wilson Lane North 77 degrees 29 minutes East 170.01 feet to a concrete monument heretofore set; thence leaving the south side of Mt. Wilson Lane and running the three following courses and distances:

- 1) South 12 degrees 31 minutes East 142.00 feet to a concrete monument heretofore set;
- 2) South 77 degrees 29 minutes West 109.78 feet to a concrete monument heretofore set and to intersect the aforesaid northeasternmost outline of Pikeville Farms;
- 3) North 35 degrees 30 minutes West along a portion of the northeasternmost outline of Pikeville Farms 154.24 feet to the place of beginning.

CONTAINING 0.456 of an acre of land, more or less.

BEING the same property which by deed dated May 6, 1981 and recorded among the Land Records of Baltimore County in Liber 6288, Folio 491 was conveyed by Baltimore Gas and Electric Company to Emmett H. Brooks, Jr. and Leola M. Brooks, his wife.

John M. White / 5/17/90

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd Date of Posting: 4-2-90

Posted for: Special Exception & Zoning Variance

Petitioner: Emmett H. Brooks, Jr. et al.

Location of property: S/S of Mt. Wilson Lane, 200' E. NE of Pikeville Road, 15 Mt. Wilson Lane

Location of Sign: South side of Mt. Wilson Lane in front of subject property

Remarks:

Posted by: J. Robert Haines Date of return: 4-6-90

Number of Signs: 2

Baltimore County Zoning Commission  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21286

Account R-001-6150  
Number 2266

Receipt No. 1385

Date: 2/14/90 H9000265

	QTY	PRICE
PUBLIC HEARING FEES		
020 - ZONING VARIANCE (OTHER)	1	\$175.00
050 - SPECIAL EXCEPTION	1	\$175.00
LAST NAME OF OWNER: BROOKS		TOTAL: \$350.00

Cashier Validation: 8 B 031\*\*\*\*\*35000:0:4 614:F  
Please make checks payable to Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 30, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on March 29 1990.

THE JEFFERSONIAN,  
S. Zeke Orlean  
Publisher

PO 103646

Baltimore County Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

DATE 4-5-90

Res: Petitions for Special Exception and Zoning Variance  
CASE NUMBER: 90-421-XA  
5/5 Mt. Wilson Lane, 200' NE of Pikeville Road (15 Mt. Wilson Lane)  
3rd Election District - 3rd Councilmatic  
Legal Owner(s): Emmett H. Brooks, Jr., et al.  
Contract Purchaser(s): Baltimore Gas & Electric Company  
HEARING: WEDNESDAY, APRIL 25, 1990 at 9:30 a.m.

Please be advised that \$137.51 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING ON THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,  
J. Robert Haines  
ZONING COMMISSIONER

JRHigs  
cc: John B. Howard, Esq.

CERTIFICATE OF PUBLICATION

REAL ESTATE

HELP WANTED

LEGAL NOTICE

NOTICE OF HEARING

THE Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland on the following date and time:

HEARING: Wednesday, April 25, 1990 at 9:30 a.m.

Petitions for Special Exception and Zoning Variance  
CASE NUMBER: 90-421-XA  
5/5 Mt. Wilson Lane, 200' NE of Pikeville Road (15 Mt. Wilson Lane)  
3rd Election District - 3rd Councilmatic  
Legal Owner(s): Emmett H. Brooks, Jr., et al.  
Contract Purchaser(s): Baltimore Gas & Electric Company  
HEARING: WEDNESDAY, APRIL 25, 1990 at 9:30 a.m.

Special Exceptions for the construction of an outdoor electric public utility service center. Variance to permit a rear setback of 10 ft. for an outdoor public utility service center (substation) instead of the required 30 ft., and to permit a front yard setback of 50 ft. for a public utility service center (substation) instead of the required 62 ft., and to relocate the parking spaces; and to amend the site plan as required in variance case #89-183-A.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

Baltimore County Zoning Commission  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3333

J. Robert Haines  
Zoning Commissioner

March 12, 1990

NOTICE OF HEARING

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J. Robert Haines  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

Baltimore County Zoning Commission  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account R-001-6150  
Number 2266

Receipt No. 90-421

Date: 4/25/90 H9000729

	QTY	PRICE
PUBLIC HEARING FEES		
020 - POSTING SIGNS / ADVERTISING 1	X	\$137.51
LAST NAME OF OWNER: BROOKS		TOTAL: \$137.51

Cashier Validation: 8 B 026\*\*\*\*\*13751:0:2266F  
Please make checks payable to Baltimore County

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

April 16, 1990



Dennis F. Rasmussen  
County Executive

John B. Howard, Esquire  
210 Allegheny Avenue  
Towson, MD 21204

RE: Item No. 265, Case No. 90-421-XA  
Petitioner: Emmett H. Brooks, Jr.  
Petition for Special Exception and  
Variance

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE MINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Emmett H. Brooks, Jr.  
Mr. George D. England

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21284  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
14th day of February, 1990.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Emmett H. Brooks, et ux  
Petitioner's Attorney: John B. Howard

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 9, 1990  
Zoning Commissioner

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Emmett H. Brooks, Jr./Baltimore Gas and Electric  
Company, Inc., Item 265

The Petitioners request a Variance to permit a rear setback of 10 ft. for an outdoor public utility service center (substation); and to permit a front setback of 50 ft.; and to amend the site plan as required in Case No. 88-183A.

Staff supports the Petitioners' request provided that dense, compact screening is provided along Mt. Wilson Lane.

Should the Petitioners' request be granted, staff offers the following restriction:

- A final landscape plan shall be submitted to the Deputy Director of the Office of Planning and Zoning prior to the issuance of any building permit.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

APR 11 1990

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21284  
(301) 887-3554



Dennis F. Rasmussen  
County Executive

March 9, 1990

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 259, 261, 262, 263, 264, 265, 266, 267, 268, and 270.

Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Assoc. II

MSF/lab

MAR 21 1990

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief

MARCH 14, 1990



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: EMMETT H. BROOKS, JR.  
Location: S/S MT. WILSON LANE  
Item No.: 265 Zoning Agenda: MARCH 6, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *Pat Keller* 3/14/90 Noted and Approved *Captain J. P. Brady*  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/KEK

MAR 15 1990

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 5, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for March 6, 1990

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 262, 263, 264, and, 268.

For Item 259 the previous County Review Group comments remain in effect.

For Item 261 the minimum width for a single panhandle frontage is 20 feet (12 feet is shown). The septic area on the opposite side of the road would require crossing of the public road R/W with private sewer line (which would require a franchise agreement).

For Items 265, 269 and 270, a County Review Group Plan may be required for each property.

For Items 267 and 268 the previous County Review Group comments remain in effect.

For Item #203 revised - Caves Valley Gold Club - the previous County Review Group comments still apply.

Amendment for 90-154A - No. 819 Ridsleigh Road, we have no comments.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s

MAR 15 1990

QUALIFICATIONS OF APPRAISER  
(Bernard F. Semon)

MEMBER

Baltimore County Appraiser's Society - President,  
1978-80

Greater Baltimore Board of Realtors, Inc. - Past  
Chairman of Executive Committee - Appraisal Division

Baltimore County Chamber of Commerce - President  
1984

Home Builders Association of Maryland - Instructor -  
School of Building and Construction  
Commercial Division

EDUCATION AND BACKGROUND

Graduate of Baltimore Polytechnic Institute

Completed Real Estate Appraisal Courses I and II,  
Johns Hopkins Evening College

Licensed Real Estate Salesman since 1960

Actively engaged in the appraisal and acquisition of  
Real Estate since 1963

Actively participated in limited partnerships involving  
residential condominium townhouse development,  
commercial and office building partnerships as well  
as a major size residential large lot development

APPRAISED FOR

Baltimore County Bureau of Land Acquisition

Carroll County Land Acquisition Division

Baltimore County Office of Law

Orphans' Court for Baltimore County

Baltimore Gas and Electric Company

Baltimore County Savings and Loan Association

Baltimore Federal Savings and Loan Association

Federal Savings Bank

Heritage Savings Association

John Hanson Savings Bank

Maryland National Bank

Municipal Savings Bank

Patapsco Federal Savings and Loan Association

Provident Bank of Maryland

Signet Home Loan Corporation

Signet Bank

Yorkridge-Calvert Savings and Loan Association

Maryland State Highway Administration

Wilson T. Ballard and Company, Engineers

Kidde Consultants

Numerous Attorneys, Engineers, Developers and Private  
Individuals

TESTIFIED BEFORE

Zoning Commissioner - Baltimore County, Maryland

Board of Zoning Appeals - Baltimore County, Maryland

Assessment Appeals Board - Baltimore County, Maryland

Circuit Court for Baltimore City

Circuit Court for Baltimore County

Circuit Court for Harford County

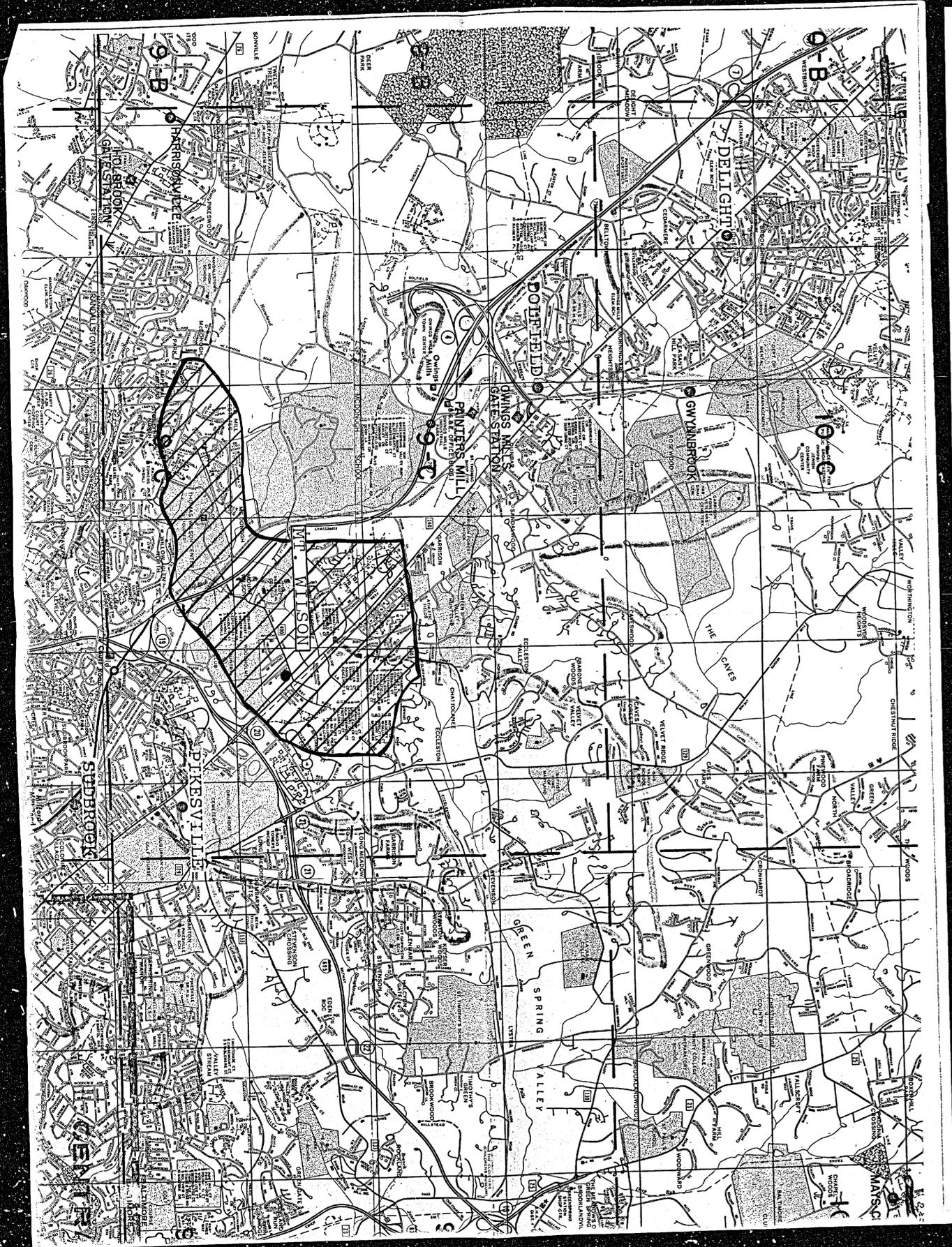
Circuit Court for Howard County

District Court for Baltimore City

Public Service Commission of Maryland

Board of Municipal and Zoning Appeals, Baltimore City,  
Maryland

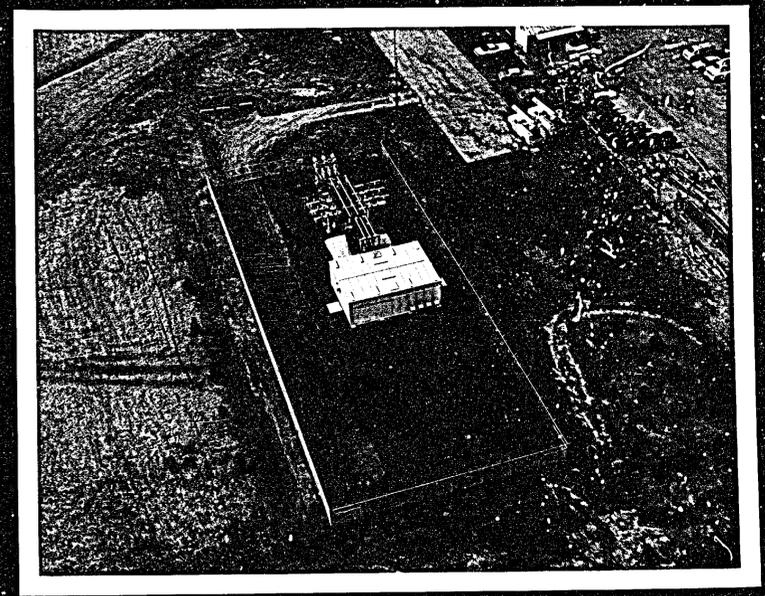
Maryland Tax Court



PLEASE PRINT CLEARLY

NAME	ADDRESS
<i>J. Hoffman</i>	<i>Mt. Wilson Lane</i>
<i>I. W. Kalotay</i>	<i>B.G.E.</i>
<i>C.T. Steyer Jr.</i>	<i>BGE</i>
<i>Henry M. Miller</i>	<i>BGE</i>
<i>Marie Dillen</i>	<i>BGE</i>
<i>Richard W. Bauer</i>	<i>724 Downy Valley Rd.</i>
<i>Jerome H. Kosba</i>	<i>BGE</i>
<i>Emmett Brooks</i>	<i>15 Mt. Wilson Lane</i>
<i>Bob Brooks</i>	<i>8233 Pikesville Road</i>

NER ISRAEL RABBINICAL COLLEGE  
MOUNT WILSON LANE, BALTIMORE, MD 21206  
OFFICE: 301-484-7900 FAX: 301-484-7811



File

**VENABLE, BAETJER AND HOWARD**  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD  
WASHINGTON, D.C.  
HULEAN, VA  
ROCKVILLE, MD  
BEL AIR, MD

210 ALLEGHENY AVENUE  
P.O. BOX 9517  
TOWSON, MARYLAND 21286-9517  
301-823-4111  
FAX 301-823-0147

May 29, 1990

494-9151

Ann M. Nastarowicz  
Deputy Zoning Commissioner  
1st Floor  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Petitions for Special Exception and Variance  
8/8 Mt. Wilson Lane, 200' NE of Pikesville Road  
(15 Mt. Wilson Lane)  
3rd Election District - 3rd Councilmanic District  
Emmett H. Brooks, Jr., et ux - Petitioners  
Case No. 90-421-XA

Dear Ms. Nastarowicz:

In compliance with paragraph 4 of the restrictions contained in your Order of April 30, 1990 in the above-captioned matter, I am submitting herewith a plat designating the revised special exception area and a metes and bounds description thereof.

I trust the enclosed conforms with your request. Please let me know, of course, should you need any further information.

Thank you very much for your careful consideration of this matter.

Very truly yours,  
*John B. Howard*  
John B. Howard

JBH:cms  
Enclosure  
cc: William E. Colburn, Esquire

File

**VENABLE, BAETJER AND HOWARD**  
ATTORNEYS AT LAW  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

BALTIMORE, MD  
WASHINGTON, D.C.  
HULEAN, VA  
ROCKVILLE, MD  
BEL AIR, MD

210 ALLEGHENY AVENUE  
P.O. BOX 9517  
TOWSON, MARYLAND 21286-9517  
301-823-4111  
FAX 301-823-0147

May 1, 1990

301-823-4111

Ann M. Nastarowicz  
Deputy Zoning Commissioner  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

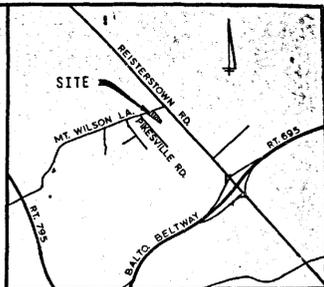
Re: BGE - Mt. Wilson Substation  
Case No. 90-421-XA

Dear Ms. Nastarowicz:

At Rob Hoffman's request, I am enclosing herewith a copy of the Load Center Plat which was to be included in the filing of the above-captioned matter. Should you have any questions, please do not hesitate to contact Rob Hoffman.

Sincerely,  
*Barbara A. White*  
Barbara A. White  
Legal Assistant

BAW:cms  
Enclosure  
cc: Robert A. Hoffman, Esquire



VICINITY MAP  
SCALE: 1" = 2000'

PLANT LIST			
PLANT NUMBER	# REQ'D/EXISTING	PLANT NAME	SIZE
(1) EXISTING AS SHOWN	4	JUGLANS NIGRA - BLACK WALNUT	APPROX. 12" DIAMETER, BREAST HEIGHT - 30" TALL.
(2) EXISTING AS SHOWN. HEDGE, ROW SCREEN, APPROX. 170' LONG ON NORTH & WEST PROPERTY LINE.		LIGUSTRUM OVALIFOLIUM - CALIFORNIA PRIVET	5' - 6" TALL.
(3) TO BE PLANTED.	15	THUJA OCCIDENTALIS NIGRA-ARBORVITAE.	4' - 5' TALL

MT. WILSON PARTNERSHIP, INC.  
9183 REISTERSTOWN RD.  
GARRISON, MD. 21055

SHOPPING CENTER

ZONED RD

PUK & P DEVELOPMENT ASSCC  
1908 YCRK RD  
BALTIMORE, MD 21204

-VACANT-

ZONED - BM

ZONED DR 3.5

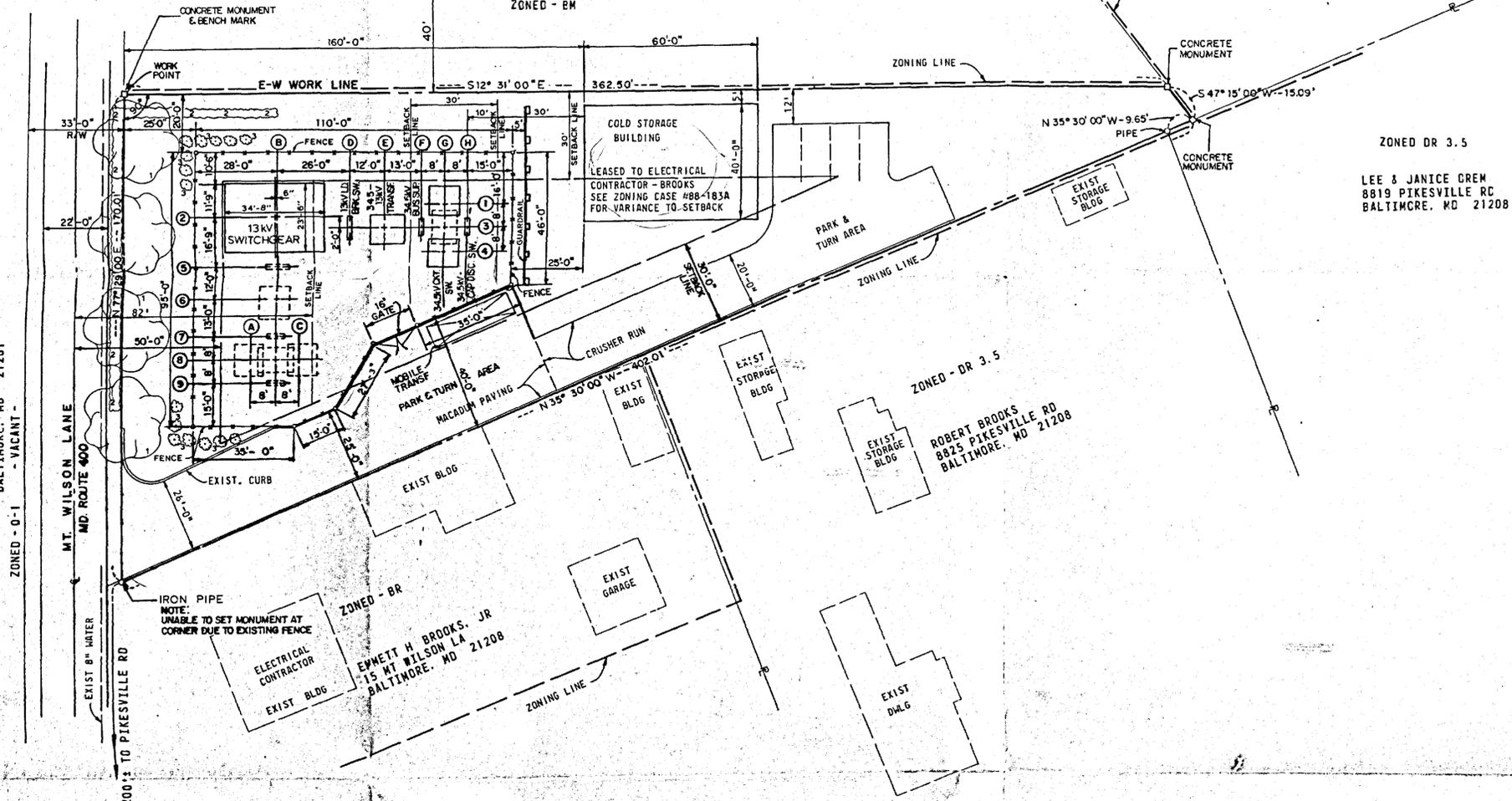
LEE & JANICE CREM  
8819 PIKESVILLE RD  
BALTIMORE, MD 21208

ZONED - DR 3.5

ROBERT BROOKS  
8825 PIKESVILLE RD  
BALTIMORE, MD 21208

EMMETT H BROOKS, JR  
15 MT WILSON LA  
BALTIMORE, MD 21208

HOPKINS, SAMUEL, ET AL  
PROPERTIES, INC. DEPT  
100 PROPER CHARLES ST  
BALTIMORE, MD 21201



J. W. MICKEY (PROP L.S. #116)  
DISTRIBUTION & TRANSMISSION ENGR DEPT  
BALTIMORE GAS & ELECTRIC COMPANY

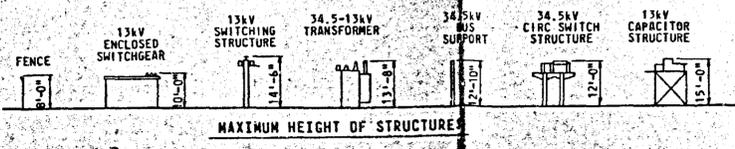
Item #265

- REQUESTED VARIANCES:**
- SEC. 238.2 & SEC 102.2 PERMIT REAR SETBACK FOR SUBSTATION OF 10' IN LIEU OF REQUIRED 30'.
  - SEC. 303.2 PERMIT FRONT YARD SETBACK OF 50' IN LIEU OF REQUIRED 82'.

THIS PROPERTY LOCATED IN  
3RD ELECTION DISTRICT  
OF BALTIMORE COUNTY, MARYLAND  
ZONED - BR  
TAX MAP-68 PARCEL-188 GRID-13/19  
AREA-0.776 AC±  
TITLE REFERENCE - 6288/491  
TAX ACCOUNT NO - 03 02003442  
OWNER - EMMETT H BROOKS & WF  
15 MT WILSON LA  
BALTIMORE, MD 21208  
UNMANNED SUBSTATION

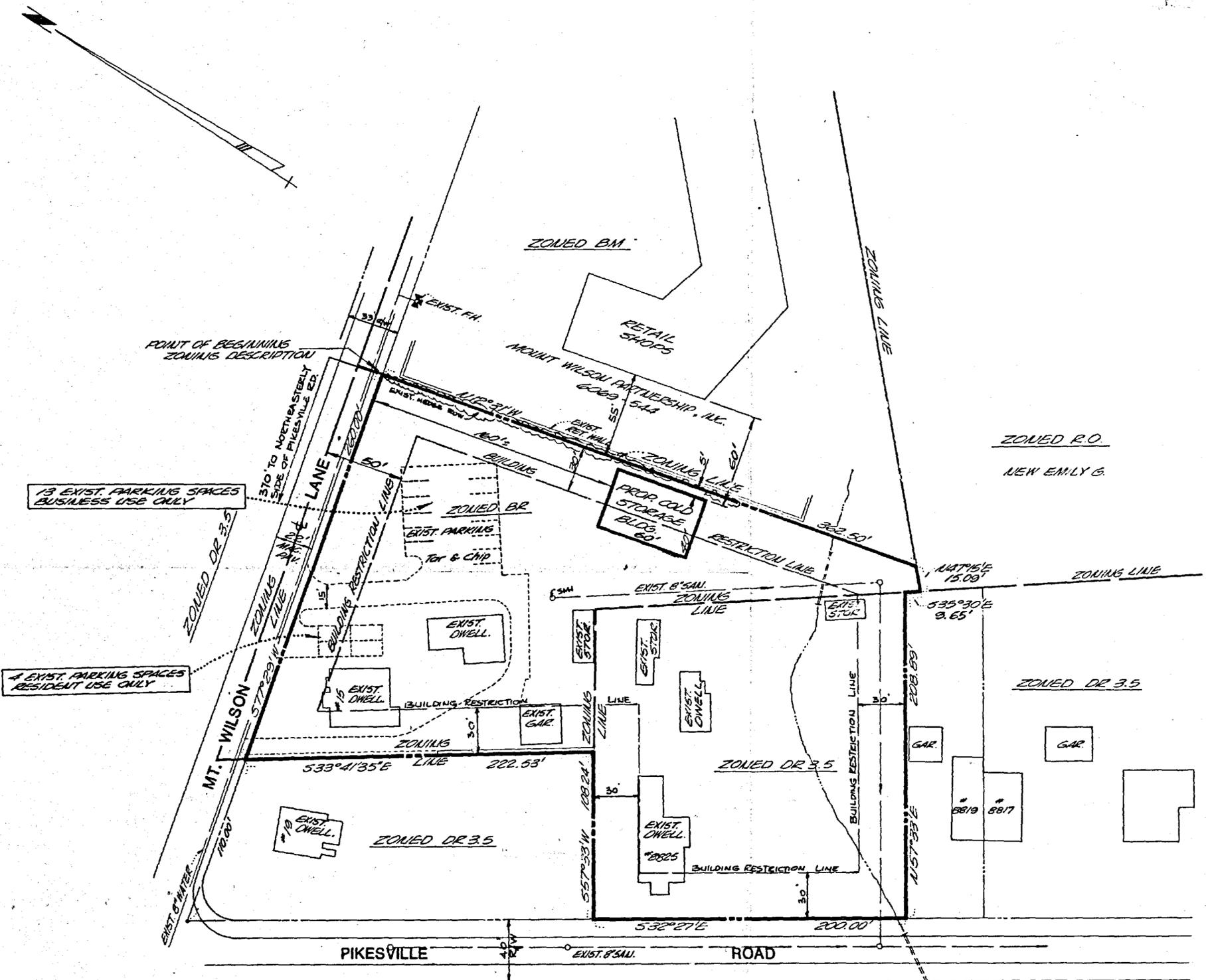
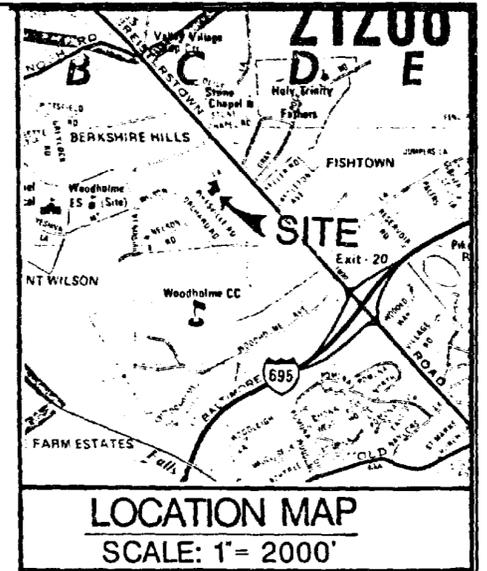
- ZONING HISTORY:**
- CASE NO. 8791-X PETITION FOR SPECIAL EXCEPTION FOR ELECTRIC SUBSTATION DATE - 11/18/59
  - CASE NO. 882-77 RECLASSIFICATION FROM BM & DR3.5 TO BR DATE - 3/2/81
  - CASE NO. 88-183A VARIANCE FROM SEC 238.2 TO PERMIT REAR YARD SETBACK OF 5' IN LIEU OF REQUIRED 30' DATE - 11/25/87

**PETITIONER'S SIGNATURE**  
90-421-XA



Rev	Date	S.O./Ext No.	Description	Approved	ENGINEERING	PLAN FOR SPECIAL EXCEPTION, VARIANCE & BUILDING PERMIT WITH LANDSCAPING
1990		EC-1022 E59M1400	INSTLN OF 1-20MVA 34.5-13KV TRANSF. 3-13KV FEEDER POS & 2-13KV DISTR FDNS (8860 & 8861)		Client: <i>JW</i> Proj. Engr: <i>DLT</i> Prj. Mgr: <i>DLT</i> Sup. Engr: <i>DLT</i>	34.5-13KV SUBSTATION MT. WILSON
A	2-8-90	EC-1022 E59M1400	REV PER COUNTY COMMENTS			BALTIMORE GAS AND ELECTRIC COMPANY DISTRIBUTION & TRANSMISSION DIVISION SYSTEM ENGINEERING SECTION File: <i>90-421-XA</i> Scale: 1" = 20'-0" Microfilm: <i>87-626-EX</i>





**PARKING SPACE REQUIREMENTS**  
 WAREHOUSE, COMMERCIAL USE:  
 "1 FOR EACH 3 EMPLOYEES  
 IN THE NUMERICALLY LARGEST  
 SHIFT"  
 NUMBER OF EMPLOYEES - 10  
 SPACES REQUIRED - 4  
 SPACES PROVIDED - 13

13 EXIST. PARKING SPACES  
 BUSINESS USE ONLY

4 EXIST. PARKING SPACES  
 RESIDENT USE ONLY

- NOTES**
- OWNER: EMMETT H. BROOKS & WIFE  
 15 MOUNT WILSON LANE  
 BALTIMORE, MARYLAND 21208
  - DEED REFERENCE: 6288-491
  - ACCOUNT NUMBERS: 03-02-003442, 03-23-001028
  - EXISTING ZONING: BR
  - APPLICANT: EMMETT H. BROOKS  
 15 MOUNT WILSON LANE  
 BALTIMORE, MARYLAND 21208
  - ENGINEER: STAYLTON ASSOCIATES, INC.  
 21 GOVERNORS COURT  
 BALTIMORE, MARYLAND 21207  
 PHONE: 944-9112
  - ELECTION: DISTRICT 3
  - COUNCILMANIC DISTRICT: 3
  - SITE ACREAGE: 2.12 ACRES
  - COMMON OPEN SPACE: DENSITY CALCULATIONS  
 REQUIRED: NONE
  - OFFSTREET PARKING REQUIRED: 4 - PROVIDED 13
  - PROPOSED HEIGHT OF BUILDING: 12'
  - LANDSCAPING: AS PER BALTIMORE COUNTY REQUIREMENTS

**NOTE:**  
 ALL EXISTING BUILDINGS ARE  
 TO REMAIN, AND PRESENT  
 USE (AS INDICATED ON PLAN)  
 IS TO CONTINUE.

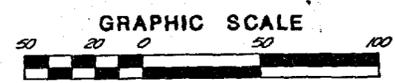
NO I.D. SIGNS ARE EXISTING  
 OR PROPOSED ON PROPERTY.

NO RETAIL SALES ARE  
 CURRENTLY, OR PROPOSED  
 TO BE CONDUCTED FROM  
 THIS PROPERTY.

PROPOSED BLDGS. TO BE  
 USED FOR STORAGE OF  
 ELECTRICAL EQUIPMENT

PARKING - 13 (9x13)  
 PARKING SPACES ARE  
 PROVIDED.

**AREA - TOTAL PROPERTY**  
 2.12 ACRES ±  
 (92,502 S.F. ±)  
**PORTION OF PROPERTY**  
 ZONED DR 3.5 - APPROX. 40,500 SQ. FT.



*Re Honer's Exhibit #38*  
 MICROFILMED



**PLAT TO ACCOMPANY PETITION FOR VARIANCE**

**STV/LYON ASSOCIATES.**  
 ENGINEERS, ARCHITECTS & PLANNERS  
 21 GOVERNORS COURT  
 BALTIMORE, MD 21207-2722

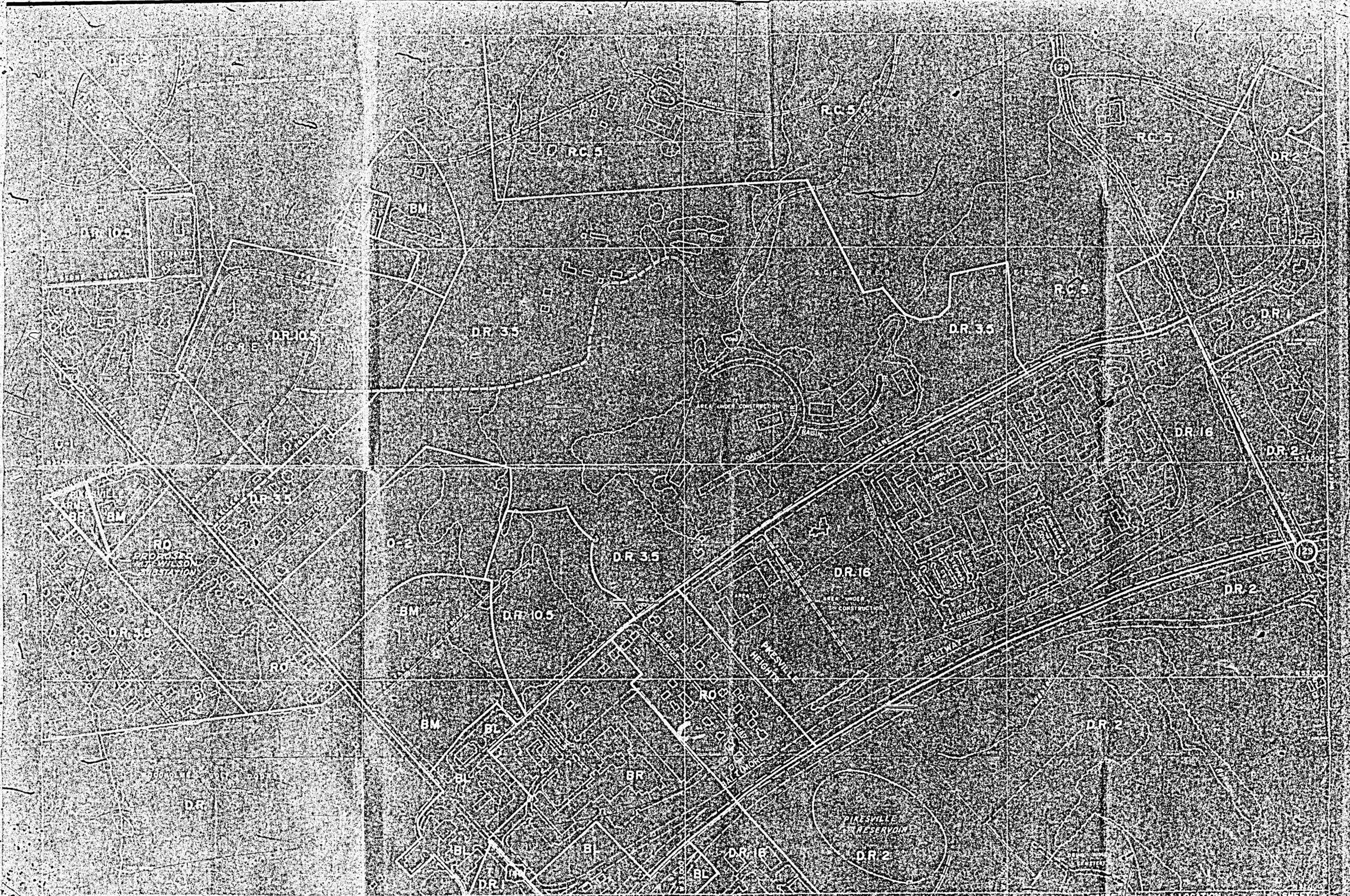
REV. 7-13-87 - ADDED NOTES  
 REV. 3-2-87 BLDG. RESTRICTION LINE 50' FROM CL AND GENERAL REVISIONS

**PLAN PREPARATION**  
 DRAWN BY: K.B.  
 CHECKED BY: AKC  
 DATE: 1/30/87  
 SCALE: 1" = 50'

**PROPOSED METAL STORAGE BLDG.**  
 15 MT. WILSON LANE 3RD ELECTION DIST.  
 BALTIMORE CO. MARYLAND

**DRAWING NO.**  
 7935-59-002

**SHEET NO.**  
 1 of 2



BALTIMORE COUNTY  
 OFFICE OF PLANNING AND ZONING  
 OFFICIAL ZONING MAP

LOCATION	SHEET
PIKESVILLE	265
GREYFOOT	266

item #  
 265  
 90421XA



111 West Chesapeake Avenue  
Towson, MD 21204

July 13, 1994

(410) 887-3353

Martha A. Delea, Esquire  
Baltimore Gas and Electric  
Charles Center  
P.O. Box 1475  
Baltimore, MD 21203-1475

RE: Mt. Wilson Substation Property  
Road Widening  
Case Number 90-421-XA  
3rd Election District

Dear Ms. Delea:

Reference is made to our meeting last Tuesday, July 5, and your subsequent letter to Arnold Jablon, Director, dated July 7, 1994, which has been referred to me for reply. Essentially all of the points that you covered can be confirmed with some slight changes to the wording for clarity. Simply stated, any development in accordance with the site plan in the zoning case will not be affected by road widening even though the resulting street setbacks would be less than what was granted.

In addition to the zoning determination, and as requested at our meeting, this office needs red-lined public hearings plans indicating the new right-of-way lines. This plan (2 copies) would, at our request, be reviewed by E. Avery Harden, Landscape Coordinator in Public Works, and John J. Dillon, Planner in the Office of Planning and Zoning, both for concurrence with our zoning determination.

The plans should be accompanied by a revised cover/confirmation letter (see attached changes) and a check for \$40.00 made payable to Baltimore County, Maryland.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3351 (FAX - 887-3708).

Very truly yours,

*W. Carl Richards, Jr.*  
W. Carl Richards, Jr.  
Zoning Supervisor

MCR:scj

cc: E. Avery Harden  
John J. Dillon



CHARLES CENTER • P.O. BOX 1475 • BALTIMORE, MARYLAND 21203-1475

MARTHA A. DELEA  
ATTORNEY  
(410) 234-5987

July 7, 1994

RECEIVED  
JUL 11 1994  
ZADM

Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: *Road Widening*  
Mt. Wilson Substation Property  
Case 90-421-XA  
3rd Election District

Dear Mr. Jablon:

Baltimore Gas and Electric Company (BGE) owns a 0.776 acre parcel of land on the south side of Mt. Wilson Lane, near Reisterstown Road. The property is currently being used for an outdoor electric substation. The existing substation facilities were installed pursuant to Zoning Special Exception Number 90-421-XA, which Order was issued on April 30, 1990 (the "BGE Order"). The BGE Order also provides for the installation of future facilities as shown on the plat that accompanied the Petition. Enclosed herewith are copies of the BGE Order and the final plat which was modified per the BGE Order.

Recently, Sol Levinson Brothers, Inc. ("Levinson"), the contract purchaser of a parcel of land on the north side of Mt. Wilson Lane, filed an Application for a Zoning Special Exception to allow its use of the property for a funeral establishment. An Order was issued on May 23, 1994 (the "Levinson Order") authorizing this use subject to certain conditions. Condition number 3 reads as follows:

"3) The Petitioner shall be required to perform the necessary improvements to Mt. Wilson Lane, on both the north and south sides thereof, which could involve the widening of Mt. Wilson Lane along the BGE property as depicted on Petitioner's Exhibit 1."

Arnold Jablon  
August 26, 1994  
Page 2

The language in condition 3 was subsequently clarified by the Hearing Examiner in his letter to Robert A. Hoffman, Esq. dated June 22, 1994. Enclosed herewith are copies of the Levinson Order and the letter to Mr. Hoffman dated June 22, 1994.

Mt. Wilson Partnership, Inc., the owner of the shopping center located on the south side of Mt. Wilson Lane, to the east of BGE's property, filed an Appeal objecting to the Levinson Order. As a condition of dismissing its appeal, the shopping center owner has demanded that a turn lane be installed on the south side of Mt. Wilson Lane.

Levinson has determined that, in order to satisfy the Hearing Examiner's requirement concerning road work, it would be more cost effective to construct only minor road improvements on the north side of Mt. Wilson Lane and to widen the road on the south side.

For the reasons set forth above, both Levinson and the shopping center owner have requested that BGE convey a portion of its substation property to Levinson for highway widening purposes.

BGE is willing to make such a conveyance as long as the zoning status of its existing and future facilities, as shown on its approved Special Exception plat, will not be adversely affected by this conveyance.

Representatives from BGE have spoken with Carl Richards and Kate Milton concerning this matter. Mr. Richards advised us as follows:

1. This conveyance would be within the spirit and intent of the zoning regulations and the BGE Order.

2. The existing facilities will not, by reason of the conveyance, be considered "non-conforming". The setback will be technically non-conforming, but all improvements made in accordance with the Special Exception plat will not violate the zoning regulations or the BGE Order.

MARTHA A. DELEA  
ATTORNEY  
(410) 234-5987

August 26, 1994

Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Re: Road Widening  
Mt. Wilson Substation Property  
Case 90-421-XA  
Third Election District

Dear Mr. Jablon:

Baltimore Gas and Electric Company (BGE) owns a 0.776 acre parcel of land on the south side of Mt. Wilson Lane, near Reisterstown Road. The property is currently being used for an outdoor electric substation. The existing substation facilities were installed pursuant to Zoning Special Exception Number 90-421-XA, which Order was issued on April 30, 1990 (the "BGE Order"). The BGE Order also provides for the installation of future facilities as shown on the plat that accompanied the Petition. Enclosed herewith are copies of the BGE Order and the final plat which was modified per the BGE Order.

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Arnold Jablon  
July 7, 1994  
Page 2

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Mt. Wilson Office Center Limited Partnership, the owner of the shopping center located on the south side of Mt. Wilson Lane, to the east of BGE's property, filed an appeal objecting to the Levinson Order. As a condition of withdrawing its appeal, the shopping center owner has demanded that a turn lane be installed on the south side of Mt. Wilson Lane.

Levinson has determined that, in order to satisfy the Hearing Examiner's requirement concerning road work, it would be more cost effective to construct only minor road improvements on the north side of Mt. Wilson Lane and to widen the road on the south side.

For the reasons set forth above, both Levinson and the shopping center owner have requested that BGE convey a portion of its substation property to the County for highway widening purposes.

BGE is willing to make such a conveyance as long as the zoning status of its existing and future facilities, as shown on its approved Special Exception plat, will not be adversely affected by this conveyance.

Representatives from BGE have spoken with Carl Richards and Kate Milton concerning this matter. Mr. Richards advised us as follows:

1. This conveyance would be within the spirit and intent of the zoning regulations and the BGE Order.

2. The existing facilities will not, by reason of the conveyance, be considered "non-conforming". The setback will be technically non-conforming, but all improvements made in accordance with the Special Exception plat will not violate the zoning regulations or the BGE Order.

3. The installation of the future facilities in the locations shown therefor on the approved Special Exception plat will not require any hearings or front setback variances beyond the additional

Arnold Jablon  
August 26, 1994  
Page 3

3. The installation of the future facilities in the locations shown therefor on the approved Special Exception plat will not require any additional hearings or front setback variances (beyond the hearing already held and the front setback variance already granted).

4. The conveyance will not have any other adverse impact upon the zoning status of the existing and future facilities shown on the approved Special Exception plat.

5. The advice set forth in Items 1 through 4 above applies regardless of whether the road widening causes the centerline of Mt. Wilson Lane to move southward, as long as BGE does not build any future facilities northward of the locations shown therefor on the approved Special Exception plat.

Please confirm that Mr. Richards' advice is correct by countersigning the enclosed copy of this letter in the space provided below.

Very truly yours,

*Martha A. Delea*

Martha A. Delea

Enclosures

*W. Carl Richards, Jr.*  
Arnold Jablon, Director

Date 8/31/94

Arnold Jablon  
July 7, 1994  
Page 3

*hearing already held and the front setback variance already granted.*

4. The conveyance will not have any other adverse impact upon the zoning status of the existing and future facilities shown on the approved Special Exception plat.

5. The advice set forth in Items 1 through 4 above applies regardless of whether the road widening causes the centerline of Mt. Wilson Lane to move southward, as long as BGE does not build any future facilities northward of the locations shown therefor on the approved Special Exception plat.

Please confirm that Mr. Richards' advice is correct by countersigning the enclosed copy of this letter in the space provided below.

Very truly yours,

*Martha A. Delea*

Martha A. Delea

Enclosures

Arnold Jablon, Director

Date

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VENABLE BAH

0002

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

Suite 113 Courthouse  
400 Washington Avenue  
Towson, MD 21204

July 22, 1994

(410) 887-4386

Robert A. Hoffman, Esquire  
Venable, Baetjer & Howard  
210 Allegheny Avenue  
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION AND VARIANCE  
NW/Cor. Reisterstown Road and Mt. Wilson Lane  
3rd Election District - 3rd Councilmanic District  
Mt. Wilson Office Center Limited Partnership - Petitioner  
Case No. 94-384-XA

Dear Mr. Hoffman:

I am in receipt of your letter dated June 6, 1994 concerning the Order issued May 23, 1994 in the above-captioned matter. Specifically, you have requested a clarification of Restriction No. 3 thereof as to the required improvements to Mt. Wilson Lane and the specific locations of same, and clarification of the Order with respect to the use of the property on Saturdays.

In consideration of the comments contained in your letter, I have reviewed the Order issued May 23, 1994 and offer the following comments. The Petitioner shall be required to perform the necessary improvements on the north side of Mt. Wilson Lane along their property line as shown on Petitioner's Exhibit 1. This does not preclude or require the Petitioner to improve Mt. Wilson Lane on the south side, including a portion of the property bordering B G & E's property line.

As to the use of the property on Saturdays, testimony indicated that there would be no funerals or church services taking place on Saturdays. While the Order states that there would be no "activity" taking place on Saturdays, it is understood that this does not preclude the Petitioner's employees from performing their duties on the site which are pertinent to the use of the property on regular business days.

I hope the above clarifies the intent of the Order issued in this matter. Should you have any further questions on the subject, please do not hesitate to contact me.

*Timothy H. Kotrood*

TIMOTHY H. KOTROOD  
Deputy Zoning Commissioner  
for Baltimore County

THK:bjjs